

## REFERENCE REQUEST-FEDERAL RECORDS CENTERS

NOTE: Use a separate form for each request

## SECTION I--TO BE COMPLETED BY REQUESTING AGENCY

ACCESSION NO.

AGENCY BOX NUMBER

RECORDS CENTER LOCATION NUMBER

412-09-0077

6 of 53

FRC

☒ BOX

25210

box 1

☐ FOLDER (include file number and title)

## REMARKS

FOIA REQUEST FOR KILTY BASKIN TX87726 Southwestern Electric Power

## NATURE OF SERVICE

☐ FURNISH COPY OF  
RECORD(S) ONLY☐ PERMANENT  
WITHDRAWAL☐ TEMPORARY  
LOAN OF RECORD(S)☐ REVIEW☐ OTHER  
(Specify)

## SECTION II - FOR USE BY RECORDS CENTER

☐ RECORDS NOT IN CENTER CUSTODY☐ RECORDS DESTROYED☐ WRONG ACCESSION NUMBER - PLEASE CHECK☐ WRONG BOX NUMBER - PLEASE RECHECK☐ WRONG CENTER LOCATION - PLEASE RECHECK☐ ADDITIONAL INFORMATION REQUIRED TO IDENTIFY RECORDS REQUESTED☐ MISSING (Neither record(s), information nor charge card found in container(s) specified)☐ RECORDS PREVIOUSLY CHARGED OUT TO (Name, agency and date):

## REMARKS

Rec'd 7/24/18

DATE

SERVICE

TIME  
REQUIREDSEARCHER'S  
INITIALS

## SECTION III - TO BE COMPLETED BY REQUESTING AGENCY

NAME OF REQUESTER

Gail Ann Noahubbi Plunkett

TELEPHONE NO.

214-665-6634

DATE

7/13/2018

RECEIPT OF RECORDS

US EPA, 6MD-II  
Regional Records Manager  
1445 Ross Ave., Suite 1200  
Dallas, TX 75202Requester please sign, date and return this form, for file item(s), ONLY if the block  
to right has been checked by the Records Center ☐

SIGNATURE

DATE

APPLICANT & THEIR CONTACTS DURING APPLICATION PROCESS MAILING LIST FOR NOTICE

**Applicant Information**

PERMIT NO. WQ0002496000

LEGAL NAME OF FACILITY OWNER: Southwestern Electric Power Company

OPERATOR (if required to be co-permittee)

PERMIT MAILING ADDRESS

2400 Farm-to-Market Road 3251  
Hallsville, Texas 76560

CN600126767

RN100214287

**CONTACT INFORMATION**

APPLICANT'S REPRESENTATIVE(S) OR CONTACT PERSON DURING APPLICATION PROCESS

Franklin L. Mills  
American Electric Power  
1201 Elm Street, Suite 800  
Dallas, Texas 75270  
Tel: 214-777-1507 Fax: 214-777-1380

NOTICE TO BE PUBLISHED BY

Franklin L. Mills  
American Electric Power  
1201 Elm Street, Suite 800  
Dallas, Texas 75270  
Tel: 214-777-1507 Fax: 214-777-1380

**MAILING LISTS**

FIXED STATE MAILING LIST (by Chief Clerk)

COUNTY MAILING LIST Harrison

CITY TO BE NOTIFIED Hallsville

NOTICE TO GLO ( ) YES (X) NO

ADJACENT/DOWNSTREAM LANDOWNERS LIST PLUS INTERESTED PERSONS (N/A for renewals or minor amendments)

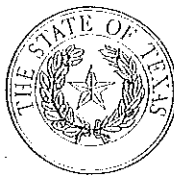
LANDOWNER MAILING LIST ATTACHED (X) YES ( ) NO

BILINGUAL NOTICE REQUIRED ( ) YES (X) NO

NOTIFY FOLLOWING COUNTY JUDGES ONLY IF THEY OFFICIALLY REQUESTED TO BE NOTIFIED OF ALL PERMIT ACTIONS (only applies to facilities with a flow of 5 MGD or greater)

Harrison, Panola, Sabine, Shelby

Kathleen Hartnett White, *Chairman*  
Larry R. Soward, *Commissioner*  
Glenn Shankle, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

February 15, 2007

Mr. Franklin L. Mills  
American Electric Power  
1201 Elm Street, Suite 800  
Dallas, Texas 75270

Re: Southwestern Electric Power Company - Proposed TPDES Permit No. WQ0002496000  
(TX0087726) (RN100214287) (CN600126767)

Dear Mr. Mills:

Enclosed for your review and comment is a copy of a draft proposed permit for the above-referenced operation. This draft is subject to further staff review and modification, however, we believe it generally includes the terms and conditions that are appropriate to your discharge. Please read the entire draft carefully as there are changes from the existing permit. Also enclosed for your review and comment is a copy of the draft second notice, the Notice of Application and Preliminary Decision. Please provide comments if there are any inaccuracies or any information that is not consistent with your application. After the draft permit is filed with the Office of the Chief Clerk, you will receive instructions for publishing this notice in a newspaper and/or the notice will be published in the *Texas Register*.

Please read the enclosed "Draft Permit Form" and submit your comments prior to the deadline that is indicated by the form. If your comments are not received by the deadline, the draft permit will be transferred to the Chief Clerk's office and comments received after this date will not be considered. Please see the enclosed form for further details.

If you have comments or questions, please contact me prior to the "Draft Permit Form" deadline at (512) 239-6707 or if by correspondence, include MC 148 in the letterhead address following my name.

Sincerely,

A handwritten signature in black ink, appearing to read "John O. Onyenobi".

John O. Onyenobi, P.E., NSPE  
Wastewater Permitting Section  
Water Quality Division

JOO

Enclosure

cc: TCEQ Region 5

## TOXIC RATING WORKSHEET

TPDES Permit No.: WQ0002496000

NPDES Permit No. (EPA I.D. No.): TX0087726

Permittee Name: SOUTHWESTERN POWER ELECTRIC COMPANY

Facility Name: PIRKEY POWER PLANT

SIC Codes (in order of importance): 1. 04911 2.            3.            4.           

Categorical Guidelines: 40 CFR Part 423

TOXIC RATING (from calculations below): **(II)**

Permit Writer: John O. Onyenobi, P.E., NSPE

Date: January 25, 2007

### CALCULATE TOXIC RATING FOR FACILITY:

For each outfall listed below, list the percent contribution to the total wastewater flow from the facility and the toxic rating for the outfall.

| Outfall No.                             | % Contribution                          | Toxic Rating<br>(from tables<br>below) | Rating * % |
|---|---|--|------------|
| <u>002</u>                              | <u>100</u>                              | <u>2</u>                               | <u>200</u> |
| <u>003, 004, 005&amp; 006</u>           | <u>Variable</u>                         | <u>0</u>                               | <u>0</u>   |
| <u>                                </u> | <u>                                </u> | <u>0</u>                               | <u>0</u>   |
| <u>                                </u> | <u>                                </u> | <u>0</u>                               | <u>0</u>   |
| SUM:                                    | <u>100</u>                              | TOTAL:                                 | <u>200</u> |

Toxic Rating for Facility = TOTAL/100 = 2 (Round to nearest whole number.)

Outfall No. 002 Toxic Rating:            (calculated below)

List waste streams in order of percent contribution to outfall and toxic rating for each waste stream.

| Waste Stream                            | Percent (%)                             | Toxic Rating                            | Rating * % |
|---|---|---|------------|
| <u>Once through cooling water</u>       | <u>100</u>                              | <u>2</u>                                | <u>200</u> |
| <u>                                </u> | <u>                                </u> | <u>                                </u> | <u>0</u>   |
| <u>                                </u> | <u>                                </u> | <u>                                </u> | <u>0</u>   |
| <u>                                </u> | <u>                                </u> | <u>                                </u> | <u>0</u>   |
| SUM:                                    | <u>100</u>                              | SUM:                                    | <u>200</u> |

Toxic rating for outfall = SUM/100 = 2 (Round to nearest whole number.)

Outfall No.            Toxic Rating:            (calculated below)

List waste streams in order of percent contribution to outfall and toxic rating for each waste stream.

| Waste Stream                            | Percent (%)                             | Toxic Rating                            | Rating * %        |
|---|---|---|-------------------|
| <u>                                </u> | <u>                                </u> | <u>                                </u> | <u>0</u>          |
| <u>                                </u> | <u>                                </u> | <u>                                </u> | <u>0</u>          |
| <u>                                </u> | <u>                                </u> | <u>                                </u> | <u>0</u>          |
| <u>                                </u> | <u>                                </u> | <u>                                </u> | <u>0</u>          |
| SUM:                                    | <u>100</u>                              | SUM:                                    | <u>          </u> |

Toxic rating for outfall = SUM/100 =            (Round to nearest whole number.)

# TPDES I PERMIT MAJOR/MINOR RATING WORK SHEET

TPDES No.: WQ0002496 REACH No.: TX0087726

Facility Name:

SOUTHWESTERN ELECTRIC POWER COMPANY

City/County:

HALLSVILLE HARRISON

Receiving Water (Name/Segment No.):

SABINE RIVER ABOVE TOLEDO BEND RESERVOIR 0505

*Is this facility a steam electric power plant (SIC=4911) with one or more of the following characteristics?*

1. Power output 500 MW or greater (no cooling pond/lake).
2. A nuclear power plant.
3. Cooling water discharge greater than 25% of the receiving water's 7Q2 flow rate.

☒ YES (score is 600, stop here).  
☐ NO (continue)

*Is this permit for a municipal separate storm sewer serving a population greater than 100,000?*

☐ YES (score is 700, stop here).  
☐ NO (continue)

## FACTOR 1: Toxic Pollutant Potential

PCS SIC Code:            Primary SIC Code: 04911

Other SIC Codes:                                                       

Industrial Subcategory Code:           

*Determine the Toxicity potential from Appendix A. Be sure to use the TOTAL toxicity potential column and check one.*

| Toxicity Group                                   | Code | Points | Toxicity Group              | Code | Points | Toxicity Group               | Code | Points |
|--|------|--------|-----------------------------|------|--------|------------------------------|------|--------|
| <input type="checkbox"/> No process wastestreams | 0    | 0      | <input type="checkbox"/> 3. | 3    | 15     | <input type="checkbox"/> 7.  | 7    | 35     |
| <input type="checkbox"/> 1.                      | 1    | 5      | <input type="checkbox"/> 4. | 4    | 20     | <input type="checkbox"/> 8.  | 8    | 40     |
| <input type="checkbox"/> 2.                      | 2    | 1      | <input type="checkbox"/> 5. | 5    | 25     | <input type="checkbox"/> 9.  | 9    | 45     |
|  |      | 0      | <input type="checkbox"/> 6. | 6    | 30     | <input type="checkbox"/> 10. | 10   | 50     |

CODE NUMBER CHECKED:           

TOTAL POINTS FACTOR 1:           

## FACTOR 2: Flow/Stream Flow Volume (Complete either Section A or B; check only one)

### SECTION A - Wastewater Flow Only Considered

| Wastewater Type       | Code                        | Points |
|-----------------------|-----------------------------|--------|
| Type I: Flow <5 MGD   | <input type="checkbox"/> 11 | 0      |
| Flow 5 to 10 MGD      | <input type="checkbox"/> 12 | 10     |
| Flow 10 to 50 MGD     | <input type="checkbox"/> 13 | 20     |
| Type II: Flow <1 MGD  | <input type="checkbox"/> 21 | 10     |
| Flow 1 to 5 MGD       | <input type="checkbox"/> 22 | 20     |
| Flow 5 to 10 MGD      | <input type="checkbox"/> 23 | 30     |
| Flow >10 MGD          | <input type="checkbox"/> 24 | 50     |
| Type III: Flow <1 MGD | <input type="checkbox"/> 31 | 0      |
| Flow 1 to 5 MGD       | <input type="checkbox"/> 32 | 10     |
| Flow 5 to 10 MGD      | <input type="checkbox"/> 33 | 20     |
| Flow >10 MGD          | <input type="checkbox"/> 34 | 30     |

### SECTION B - Wastewater & Stream Flow Considered

| Wastewater Type | Percent Effluent @ Mixing Zone | Code                        | Points |
|-----------------|--------------------------------|-----------------------------|--------|
| Type I/II       | <10%                           | <input type="checkbox"/> 41 | 0      |
|                 | 10% to 50%                     | <input type="checkbox"/> 42 | 10     |
|                 | > 50%                          | <input type="checkbox"/> 43 | 20     |
| Type II         | <10%                           | <input type="checkbox"/> 51 | 0      |
|                 | 10% to 50%                     | <input type="checkbox"/> 52 | 20     |
|                 | > 50%                          | <input type="checkbox"/> 53 | 30     |

CODE NUMBER CHECKED FROM SECTION A or B:           

TOTAL POINTS FACTOR 2:

# TPDES PERMIT MAJOR/MINOR RATING WORK SHEET

TPDES No.: 02496

## FACTOR 5: Water Quality Factors

- A. *Is one or more of the effluent discharge limits based on water quality factors of the receiving stream (rather than technology-based federal effluent guidelines, or technology-based state effluent guidelines), or has a wasteload allocation been assigned to the discharge?*

|                              | Code | Points |
|------------------------------|------|--------|
| <input type="checkbox"/> YES | 1    | 10     |
| <input type="checkbox"/> NO  | 2    | 0      |

- B. *Is the receiving water in compliance with applicable water quality standards for pollutants that are water quality limited in the permit?*

|                              | Code | Points |
|------------------------------|------|--------|
| <input type="checkbox"/> YES | 1    | 0      |
| <input type="checkbox"/> NO  | 2    | 5      |

- C. *Does the effluent discharged from this facility exhibit the reasonable potential to violate water quality standards due to whole effluent toxicity?*

|                              | Code | Points |
|------------------------------|------|--------|
| <input type="checkbox"/> YES | 1    | 10     |
| <input type="checkbox"/> NO  | 2    | 0      |

CODE NUMBER CHECKED: A    B    C     
 POINTS FACTOR 5: A    + B    + C    =    TOTAL

## FACTOR 6: Proximity to Near Coastal Waters

- A. *Base Score: Enter flow code here (from Factor 2):*

*Enter the multiplication factor that corresponds to the flow code:*   

Check appropriate facility HPRI Code (from PCS):

|                          | HPRI# | CODE | HPRI Score | Flow Code     | Multiplication |
|--------------------------|-------|------|------------|---------------|----------------|
| <input type="checkbox"/> | 1     | 1    | 20         | 11, 31, or 41 | 0.00           |
| <input type="checkbox"/> | 2     | 2    | 0          | 12, 32, or 42 | 0.05           |
| <input type="checkbox"/> | 3     | 3    | 30         | 13, 33, or 43 | 0.10           |
| <input type="checkbox"/> | 4     | 4    | 0          | 14 or 34      | 0.15           |
| <input type="checkbox"/> | 5     | 5    | 0          | 21 or 51      | 0.10           |
|                          |       |      |            | 22 or 52      | 0.30           |
|                          |       |      |            | 23 or 53      | 0.60           |
|                          |       |      |            | 24            | 1.00           |

HPRI code checked:   

Base Score: (HPRI Score)  × (Multiplication Factor)  =  (TOTAL POINTS)

- B. *Additional Points -- NEP Program*

*For a facility that has an HPRI code of 3, does the facility discharge to one of the estuaries enrolled in the National Estuary Protection (NEP) program (see instructions)?*

|                              | Code | Points |
|------------------------------|------|--------|
| <input type="checkbox"/> YES | 1    | 10     |
| <input type="checkbox"/> NO  | 2    | 0      |

- C. *Additional Points -- Great Lakes Area of Concern*

*For a facility that has an HPRI code of 5, does the facility discharge any of the pollutants of concern into one of the Great Lakes' 31 areas of concern?*

|                             | Code | Points |
|-----------------------------|------|--------|
| <input type="checkbox"/> NO | 2    | 0      |

CODE NUMBER CHECKED: A    B    C     
 POINTS FACTOR 6: A    + B    + C    =    TOTAL

## COMP THRESHOLD REVIEW SHEET

## INDUSTRIAL WASTEWATER DISCHARGE PERMITS

|                    |  |
|--------------------|--|
| Permittee          | Southwestern Electric Power Company      |
| TCEQ Permit No.    | WQ0002496000                             |
| Classified Segment |  |
| Name:              | Sabine River Above Toledo Bend Reservoir |
| Number:            | 0505                                     |
| County             | Harrison                                 |

## SECTION A

|           |   |   |
|-----------|---|---|
| <u>No</u> | 1 | This is a new permit application which would authorize the discharge of a wastewater subject to EPA Categorical Effluent Standards (40 CFR Parts 400-471) into a priority segment (see Appendix B).   |
| <u>No</u> | 2 | This is an amendment permit application which would authorize an increase in the mass loading of pollutants from the discharge of a wastewater subject to EPA Categorical Effluent Standards (40 CFR Parts 400-471) into a priority segment (see Appendix B). |
| <u>No</u> | 3 | This is an amendment permit application which would change the point of discharge of a wastewater subject to EPA Categorical Effluent Standards (40 CFR Parts 400-471) into a priority segment (see Appendix B).  |

IF "YES" TO ANY OF THE ABOVE THEN THE PERMIT ACTION IS CONSIDERED ABOVE THRESHOLD, COMPLETE SECTION B.

IF NO TO ALL OF THE ABOVE, THEN THE PERMIT ACTION IS CONSIDERED BELOW THRESHOLD,  
STOP HERE.

John O. Onyenobi

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PERMIT APPLICATION REVIEWER

January 24, 2007

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DATE

## SECTION B

- \_\_\_\_\_ 1. The IOM from standards states that "no significant degradation of high quality receiving waters is anticipated" (if receiving water has a designated high quality aquatic life use).
- \_\_\_\_\_ 2. The IOM from standards states that "no loss of designated uses is anticipated."
- \_\_\_\_\_ 3. The draft permit complies with all applicable provisions of 30 TAC 307, 309, and 319.

PERMIT APPLICATION REVIEWER

DATE \_\_\_\_\_

## NEW SOURCE DETERMINATION WORKSHEET

|                                       |                                     |
|---------------------------------------|-------------------------------------|
| PERMITTEE:                            | SOUTHWESTERN ELECTRIC POWER COMPANY |
| TPDES PERMIT NO.:                     | WQ0002496000                        |
| NPDES PERMIT NO.:                     | TX007726                            |
| TYPE OF INDUSTRIAL ACTIVITY:          | ELECTRIC POWER GENERATION FACILITY  |
| SIC CODE:                             | 04911                               |
| APPLICABLE CATEGORICAL<br>GUIDELINES: | 40 CFR 423                          |

### A. NEW SOURCE DETERMINATION - SCREENING

ANSWER EITHER "YES" OR "NO" TO THE FOLLOWING QUESTIONS AND PROCEED AS DIRECTED:

1. Is there an applicable new source performance standard for this facility?  
Yes ☒ No ☐ If YES, proceed to Item No. 2. If NO proceed to Section B, the facility is not a new source.
2. Was the current production facility in existence prior to the promulgation of the applicable new source performance standard?  
Yes ☒ No ☐ If NO, proceed to Item No. 3. If YES proceed to Section B, the facility is not a new source.
3. This facility MAY be classified as a new source. Additional information will be required to conduct an evaluation and make a final determination. Please refer to 40 CFR §122.29.

### B. NEW SOURCE DETERMINATION - DETERMINATION

PLEASE CHECK THE APPROPRIATE DETERMINATION:

- ☒ Facility IS NOT a new source. Determination made via screening in Section A above.
- ☐ Facility IS NOT a new source. Determination made via evaluation. Please see attached evaluation.
- ☐ Facility IS a new source. Determination made via evaluation. Please see attached evaluation.

John O. Onyenobi, P.E., NSPE  
REVIEWER

01/24/2007  
DATE

## Compliance History

|                                     |  |                         |                   |
|-------------------------------------|--|-------------------------|-------------------|
| Customer/Respondent/Owner-Operator: | CN600126767    Southwestern Electric Power Company | Classification: AVERAGE | Rating: 1.74      |
| Regulated Entity:                   | RN100214287    AEP PIRKEY POWER PLANT              | Classification: AVERAGE | Site Rating: 0.31 |

|               |  |   |  |
|---------------|--|---|--|
| ID Number(s): | AIR OPERATING PERMITS<br>AIR OPERATING PERMITS<br>AIR NEW SOURCE PERMITS<br>AIR NEW SOURCE PERMITS<br>AIR NEW SOURCE PERMITS<br>AIR NEW SOURCE PERMITS<br>AIR NEW SOURCE PERMITS<br>AIR NEW SOURCE PERMITS<br>AIR NEW SOURCE PERMITS<br>AIR NEW SOURCE PERMITS<br>AIR NEW SOURCE PERMITS<br>AIR NEW SOURCE PERMITS<br>AIR NEW SOURCE PERMITS<br>AIR NEW SOURCE PERMITS<br>INDUSTRIAL AND HAZARDOUS WASTE GENERATION<br>INDUSTRIAL AND HAZARDOUS WASTE GENERATION<br>WASTEWATER<br>WASTEWATER<br>WASTEWATER<br>WASTEWATER<br>STORMWATER | ACCOUNT NUMBER<br>PERMIT<br>PERMIT<br>PERMIT<br>PERMIT<br>PERMIT<br>ACCOUNT NUMBER<br>AFS NUM<br>PERMIT<br>REGISTRATION<br>REGISTRATION<br>REGISTRATION<br>SOLID WASTE REGISTRATION # (SWR)<br>EPA ID<br>EPA ID<br>PERMIT<br>PERMIT<br>PERMIT<br>PERMIT | HH0037F<br>31<br>6269<br>6270<br>41433<br>43466<br>49226<br>HH0037F<br>0022<br>56601<br>76547<br>78665<br>80150<br>33240<br>TXD000726380<br>TPDES0087726<br>WQ0002496000<br>TPDES0087726<br>TX0087726<br>TXR05N745 |
|---------------|--|---|--|

|   |   |                       |                     |
|---|---|-----------------------|---------------------|
| Location:   | 2400 FM 3251, HALLSVILLE, TX, 75650   | Rating Date: 9/1/2005 | Repeat Violator: NO |
| TCEQ Region:  | REGION 05 - TYLER   |                       |                     |
| Date Compliance History Prepared:   | November 29, 2006   |                       |                     |
| Agency Decision Requiring Compliance History:   | Permit - Issuance, renewal, amendment, modification, denial, suspension, or revocation of a permit. |                       |                     |
| Compliance Period:  | August 31, 2001 to November 29, 2006  |                       |                     |
| TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History |   |                       |                     |
| Name:   | ONYENOBI, John  | Phone:                | 239-6707            |

### Site Compliance History Components

- |  |     |
|--|-----|
| 1. Has the site been in existence and/or operation for the full five year compliance period? | Yes |
| 2. Has there been a (known) change in ownership of the site during the compliance period?    | No  |
| 3. If Yes, who is the current owner?   | N/A |
| 4. If Yes, who was/were the prior owner(s)?  | N/A |
| 5. When did the change(s) in ownership occur?  | N/A |

#### Components (Multimedia) for the Site :

- |    |  |
|----|--|
| A. | Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.<br>N/A |
| B. | Any criminal convictions of the state of Texas and the federal government.<br>N/A  |
| C. | Chronic excessive emissions events.<br>N/A   |
| D. | The approval dates of investigations. (CCEDS Inv. Track. No.)  |
- |   |            |          |
|---|------------|----------|
| 1 | 07/06/2006 | (503835) |
| 2 | 10/28/2004 | (337939) |
| 3 | 08/26/2004 | (361309) |
| 4 | 04/11/2006 | (462119) |
| 5 | 09/13/2004 | (361310) |
| 6 | 10/19/2004 | (361311) |
| 7 | 08/10/2006 | (526199) |

|    |            |          |
|----|------------|----------|
| 8  | 02/19/2002 | (209928) |
| 9  | 11/22/2004 | (361312) |
| 10 | 10/12/2006 | (526200) |
| 11 | 12/16/2002 | (209929) |
| 12 | 12/20/2004 | (361313) |
| 13 | 02/19/2002 | (209931) |
| 14 | 02/20/2003 | (209932) |
| 15 | 03/19/2002 | (209934) |
| 16 | 09/27/2001 | (247407) |
| 17 | 03/14/2003 | (209935) |
| 18 | 04/22/2002 | (209937) |
| 19 | 04/24/2003 | (209938) |
| 20 | 05/13/2002 | (209940) |
| 21 | 05/30/2003 | (209941) |
| 22 | 04/03/2006 | (460339) |
| 23 | 03/09/2006 | (458599) |
| 24 | 06/14/2002 | (209944) |
| 25 | 08/05/2003 | (147089) |
| 26 | 06/30/2003 | (209945) |
| 27 | 03/09/2005 | (372553) |
| 28 | 07/24/2002 | (209948) |
| 29 | 05/12/2005 | (424895) |
| 30 | 06/14/2005 | (424896) |
| 31 | 05/01/2006 | (464211) |
| 32 | 07/25/2003 | (209949) |
| 33 | 08/19/2002 | (209952) |
| 34 | 10/04/2002 | (13237)  |
| 35 | 09/10/2001 | (209954) |
| 36 | 09/16/2002 | (209955) |
| 37 | 02/27/2006 | (456790) |
| 38 | 10/19/2001 | (209957) |
| 39 | 11/08/2006 | (517360) |
| 40 | 03/22/2005 | (374653) |
| 41 | 03/09/2006 | (457960) |
| 42 | 10/08/2002 | (209958) |
| 43 | 10/18/2006 | (514646) |
| 44 | 02/15/2005 | (387116) |
| 45 | 05/31/2006 | (464257) |
| 46 | 03/15/2005 | (387117) |
| 47 | 11/19/2001 | (209961) |
| 48 | 02/15/2005 | (387118) |
| 49 | 11/14/2002 | (209962) |
| 50 | 03/17/2005 | (374505) |
| 51 | 04/12/2005 | (387119) |
| 52 | 06/27/2002 | (82653)  |
| 53 | 03/15/2005 | (387120) |
| 54 | 06/20/2002 | (82652)  |
| 55 | 06/20/2002 | (82651)  |
| 56 | 12/20/2001 | (209965) |
| 57 | 02/06/2002 | (82650)  |
| 58 | 01/10/2002 | (82649)  |
| 59 | 12/16/2002 | (209966) |
| 60 | 06/13/2006 | (482287) |
| 61 | 03/09/2006 | (458660) |
| 62 | 08/12/2005 | (445525) |
| 63 | 01/14/2002 | (209969) |
| 64 | 09/16/2005 | (445526) |
| 65 | 11/08/2006 | (517233) |
| 66 | 01/21/2003 | (209970) |
| 67 | 08/12/2005 | (445527) |
| 68 | 02/23/2004 | (317344) |
| 69 | 03/30/2004 | (317346) |
| 70 | 04/27/2004 | (317347) |
| 71 | 03/29/2005 | (375384) |
| 72 | 05/19/2004 | (317349) |
| 73 | 08/05/2005 | (403789) |
| 74 | 06/29/2004 | (317351) |
| 75 | 07/06/2004 | (317353) |

76 08/15/2003 (317355)  
 77 08/30/2002 (9231)  
 78 03/23/2006 (459414)  
 79 09/16/2003 (317357)  
 80 10/22/2003 (317359)  
 81 11/21/2003 (317361)  
 82 12/19/2003 (317362)  
 83 11/01/2004 (292823)  
 84 01/12/2004 (317363)  
 85 07/27/2004 (317364)  
 86 11/18/2005 (434263)  
 87 11/08/2006 (517393)  
 88 08/24/2004 (291781)  
 89 02/21/2006 (477107)  
 90 04/11/2006 (477108)  
 91 02/21/2006 (477109)  
 92 08/30/2004 (289660)  
 93 11/17/2005 (477110)  
 94 12/16/2005 (477111)  
 95 03/10/2006 (503832)  
 96 11/17/2006 (517314)  
 97 05/17/2006 (503833)  
 98 06/15/2006 (503834)  
 99 03/09/2006 (458363)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date: 03/24/2006 (459414)

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to submit a timely notification of an excess opacity event.

Date: 09/27/2001 (247407)

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Description: NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 11/30/2004 (361313)

Self Report? YES

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date: 06/30/2002 (209948)

Self Report? YES

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date: 09/30/2001 (209957)

Self Report? YES

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date: 01/31/2006 (477107)

Self Report? YES

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date: 02/28/2006 (503832)

Self Report? YES

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

F. Environmental audits.

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

# Texas Commission on Environmental Quality

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## INTEROFFICE MEMORANDUM

**To:** Industrial Permits Team  
Wastewater Permitting Section  
Water Quality Division

**Date:** November 2, 2006

**From:** MBP Michael B. Pfeil, Water Quality Standards Team  
Water Quality Assessment Section  
Water Quality Division

**Subject:** SWEPCO  
Pirkey Power Plant  
Permit No. 02496

### BIOMONITORING

The following information applies to Outfall 001. We recommend Chronic Freshwater and 24-Hour Acute Freshwater testing. For Chronic testing, we recommend *Ceriodaphnia dubia* and *Pimephales promelas* as test species and a testing frequency of once per quarter, for at least the first year of testing. We recommend a dilution series of 32%, 42%, 56%, 75%, and 100% with a critical dilution of 100%.

For 24-Hour Acute testing, we recommend *Daphnia pulex* or *Ceriodaphnia dubia* and *Pimephales promelas* as the test species and a testing frequency of once per six months for both test species.

### BIOMONITORING HISTORY

A review of the whole effluent toxicity testing database reveals that in the past five years the permittee has performed eighteen chronic tests, with no demonstrations of significant toxicity, either lethal or sublethal.

A review of the whole effluent toxicity testing database reveals that in the past five years the permittee has performed eighteen 24-hour acute tests, with no demonstrations of significant mortality.

# Texas Commission on Environmental Quality

## INTEROFFICE MEMORANDUM

**To:** Industrial Permits Team  
Wastewater Permitting Section  
Water Quality Division

**Date:** 10/03/06

**Thru:** *cut*  
*10/5/06* Charles Bayer, Water Quality Standards Team Peer Review  
Water Quality Assessment Section  
Water Quality Division

**From:** *D.F.*  
*10/5/06* David Flores, Water Quality Standards Team  
Water Quality Assessment Section  
Water Quality Division

**Subject:** Pirkey Power Plant; Permit No. 02496-000  
Amendment; Application Received: 08/31/06

The discharge route for the above referenced permit is via Outfalls 002, 003 to Brandy Branch Reservoir; thence to Brandy Branch Creek; thence to the Sabine River Above Toledo Bend Reservoir in Segment 0505 of the Sabine River Basin; via Outfalls 004, 005 and 006 to unnamed tributaries of Hatley Creek; thence to Hatley Creek; thence to Sabine River Above Toledo Bend Reservoir in Segment 0505 of the Sabine River Basin. The designated uses and dissolved oxygen criterion as stated in Appendix A of the Texas Surface Water Quality Standards (30 TAC §307.10) for Segment 0505 are contact recreation, public water supply, high aquatic life use, and 5.0 mg/L dissolved oxygen.

Since the discharge is directly to an unclassified water body, the permit action was reviewed in accordance with §307.4(h) and (k) of the 1997 Texas Surface Water Quality Standards and the TCEQ's implementation procedures for the standards. Based on a receiving water assessment and/or other available information, a preliminary determination of the aquatic life uses in the area of the discharge impact has been performed and the corresponding dissolved oxygen criterion assigned.

Unnamed tributaries; no significant aquatic life use; 2.0 mg/L dissolved oxygen.

Brandy Branch Reservoir; high aquatic life use; 5.0 mg/L dissolved oxygen.

Brandy Branch Creek; no significant aquatic life use; 2.0 mg/L dissolved oxygen.

In accordance with §307.5 and the TCEQ implementation procedures (January 2003) for the Texas Surface Water Quality Standards, an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in Brandy Branch Reservoir, which has been identified as having a high aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

The discharge from this permit action is not expected to have an effect on any federal endangered or threatened aquatic or aquatic dependent species or proposed species or their critical habitat. This determination is based on the United States Fish and Wildlife Service's (USFWS) biological opinion on the State of Texas authorization of the Texas Pollutant Discharge Elimination System (TPDES; September 14, 1998; October 21, 1998 update). To make this determination for TPDES permits, TCEQ and EPA only considered aquatic or aquatic dependent species occurring in watersheds of critical concern or high priority as listed in Appendix A of the USFWS biological opinion. The determination is subject to reevaluation due to subsequent updates or amendments to the biological opinion. The permit does not require EPA review with respect to the presence of endangered or threatened species.

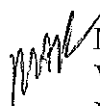
# Texas Commission on Environmental Quality

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## INTEROFFICE MEMORANDUM

**To:** Industrial Permits Team  
Wastewater Permitting Section

**Date:** October 6, 2006

**From:**  Mark A. Rudolph, P.E.  
Water Quality Assessment Team  
Water Quality Assessment Section

**Subject:** Southwestern Electric Power Company  
Wastewater Permit Amendment (#02496, TX0087726)  
Discharge to a tributary of the Sabine River  
Above Toledo Bend Reservoir (Segment 0505)

The referenced applicant is proposing to amend its permit to relocate outfall 004 and effect other miscellaneous changes related to selenium, temperature, and total suspended solids. Only internal outfall 302 (domestic wastewater) has the potential to discharge effluent with elevated concentrations of oxygen-demanding substances. The discharger is located in Harrison County.

Outfall 302 is an internal outfall of 002. Outfall 002 is currently authorized to discharge 600 MGD of predominantly once-through cooling water. As a result, outfall 302 is diluted to the point that it does not represent a significant threat to dissolved oxygen in the receiving waters.


Based on model results, the existing permitted effluent set of 0.015 MGD, 20 mg/L BOD<sub>5</sub>, and 20 mg/L TSS is expected to be adequate to ensure that the dissolved oxygen level in the receiving waters will be maintained above the criterion.

Segment 0505 is currently listed on the State's inventory of impaired and threatened waters (the 2004 Clean Water Act Section 303(d) list). The listing is specifically for elevated bacteria levels in a 22-mile reach near SH 149.

# Texas Commission on Environmental Quality

## INTEROFFICE MEMORANDUM

**To:** Industrial Permits Team  
Wastewater Permitting Section

**From:**  Kenda Smith, Water Quality Assessment Team  
Water Quality Assessment Section

**Subject:** Southwestern Electric Power Co. Wastewater Permit No. 02496  
TEXTOX, Critical Conditions, and Mixing Zone Definition

**Date:** October 5, 2006

The following information applies to **Outfall 002** entering Segment No. 0505.

The TEXTOX menu number is 4.

The chronic effluent percentage for aquatic life protection is 100%, which applies at the edge of the MZ. The acute effluent percentage for aquatic life protection is 100%, which applies at the edge of the ZID. These percentages are based on the effluent flow of >100 MGD.

Human health criteria apply for Freshwater Fish Tissue using 100% effluent. This effluent percentage was calculated using the effluent flow of >100 MGD.

The mixing zone is defined as a volume within a radius of 100 feet from the point of discharge. Chronic toxic criteria apply at the edge of the mixing zone.

The width of Brandy Branch Reservoir at the point of discharge is greater than or equal to 200 feet. The ZID is defined as a volume within a radius of 25 feet from the point of discharge. The human health mixing zone is defined as a volume within a radius of 200 feet from the point of discharge.

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The following information applies to **Outfall 003** entering Segment No. 0505.

The TEXTOX menu number is 4.

The chronic effluent percentage for aquatic life protection is 15%, which applies at the edge of the MZ. The acute effluent percentage for aquatic life protection is 60%, which applies at the edge of the ZID. These percentages are based on the effluent flow of <10 MGD.

Human health criteria apply for Freshwater Fish Tissue using 8% effluent. This effluent percentage was calculated using the effluent flow of <10 MGD.

The mixing zone is defined as a volume within a radius of 100 feet from the point of discharge. Chronic toxic criteria apply at the edge of the mixing zone.

The width of Brandy Branch Reservoir at the point of discharge is greater than or equal to 200 feet. The ZID is defined as a volume within a radius of 25 feet from the point of discharge. The human health mixing zone is defined as a volume within a radius of 200 feet from the point of discharge.

The following information applies to **Outfall 004** entering Segment No. 0505.

The TEXTOX menu number is **2**.

The critical low-flow of Hatley Creek is 0.36 cfs and the harmonic mean flow is 0.52 cfs. The two-year maximum monthly average effluent flow of 2.25 MGD should be used to calculate the acute and chronic effluent percentages for aquatic life protection.

Human health criteria apply for Freshwater Fish Tissue. The two-year monthly average effluent flow of 1.50 MGD should be used to calculate the effluent percentage for human health protection.

There is no mixing zone established for this discharge to an intermittent stream. Acute toxic criteria apply at the point of discharge.

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The following information applies to **Outfall 005** entering Segment No. 0505.

The TEXTOX menu number is **2**.

The critical low-flow of Hatley Creek is 0.36 cfs and the harmonic mean flow is 0.52 cfs. The two-year maximum monthly average effluent flow of 0.48 MGD should be used to calculate the acute and chronic effluent percentages for aquatic life protection.

Human health criteria apply for Freshwater Fish Tissue. The two-year monthly average effluent flow of 0.30 MGD should be used to calculate the effluent percentage for human health protection.

There is no mixing zone established for this discharge to an intermittent stream. Acute toxic criteria apply at the point of discharge.

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The following information applies to **Outfall 006** entering Segment No. 0505.

The TEXTOX menu number is **2**.

The critical low-flow of Hatley Creek is 0.36 cfs and the harmonic mean flow is 0.52 cfs. The two-year maximum monthly average effluent flow of 3.93 MGD should be used to calculate the acute and chronic effluent percentages for aquatic life protection.

Human health criteria apply for Freshwater Fish Tissue. The two-year monthly average effluent flow of 1.51 MGD should be used to calculate the effluent percentage for human health protection.

There is no mixing zone established for this discharge to an intermittent stream. Acute toxic criteria apply at the point of discharge.

Permit No. 02496 SOUTHWESTERN POWER ELECTRIC COMPANY

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MARSHALL TX 75670

TANYA MICHELLE FIELDS  
5450 BROADMOOR PLAZA  
INDIANAPOLIS IN 46208

BOBBIE J FIELDS WHITE  
8927 MLK  
HOUSTON TX 77033

DELORES YVONNE WISE  
3813 SEIBER AVE  
DAYTON OH 45405

DOMINICK L WISE  
3813 SEIBER AVE  
DAYTON OH 45405

INEZ FIELDS DAVIS  
1019 E RICHMOND AVE  
FORT WORTH TX 76104

JUANITA FIELDS BROWN  
1721 FLORIN RD  
SACRAMENTO CA 95822

LEO B SMITH  
1102 ALVIN STREET  
MARSHALL TX 75670

NAAMAN W FIELDS  
1535 NORTH AENUE  
SACRAMENTO CA 95838

RACHEL LOUISE FIELDS  
773 E 52<sup>ND</sup> PL  
LOS ANGELES CA 90011

RAYMOND L FIELDS JR  
773 E 52<sup>ND</sup> PL  
LOS ANGELES CA 90011

RETINA P SMITH  
1600 ALEXANDER ST  
MARSHALL TX 75670

ROLAND H BOARD  
3813 SEIBER AVE  
DAYTON OH 45405

SANDRA JOHNSON  
2606 UNIVERSITY AVE  
MARSHALL TX 75670

SHARON R SMITH-BOOKER  
P O BOX 8187  
MARSHALL TX 75670

---

THEODORE G SMITH JR  
8970 RED OAK RD  
HALLSVILLE TX 75650-7498

VERGIA B SMITH  
2600 EVANS ST  
MARSHALL TX 75670

WENDELL D FIELDS  
773 E 52<sup>ND</sup> PL  
LOS ANGELES CA 90011

WILLIA RUTH CLEMENTS  
1102 ALVIN ST  
MARSHALL TX 75670

WILLIE WALKER EST  
RT 1 BOX 340  
LONGVIEW TX 75602

CORA HESTER  
10330 LA SALLE  
LOS ANGELES CA 90047

TIMOTHY HESTER  
10330 LA SALLE  
LOS ANGELES CA 90047

LUCY FORD WALKER  
5518 EASTLAND ST  
HOUSTON TX 77028

BELLEZORA HOUTMAN  
3046 GREELEY ST  
SAN DIEGO CA 92113

WILLIE WALKER  
741 EUCLID # 207  
DETROIT MI 48202

LOUIS WALKER  
1566 E 48<sup>TH</sup> ST  
LOS ANGELES CA 90011

HARRISON COUNTY CLERK  
HARRISON COUNTRY COURTHOUSE  
MARSHALL TX 75670

JOHN RICHARD DILLARD  
1456 SERENADE LN  
DALLAS TX 75241

LACY KIRK JOHNSON  
2210 DUGALD PL  
DALLAS TX 75216-3308

BERNICE WALKER DUDLEY  
RT 4 BOX 643  
MINDEN LA 71055

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SHIRLEY TAYLOR  
1335 MT PLASANT RD  
HALLSVILLE TX 75650

OVIDIA STURNS WASHINGTON  
189 DOCTORS RD W  
LONGVIEW TX 75602-7243

LULA WALKER PATRICK  
8694 HWY 43 SOUTH  
MARSHALL TX 75670

ESTER R HARPER  
760 N BRIERWOOD  
RIALTO CA 92376

NETTIE MAE KEMP JACKSON  
713 AZALEA LN  
CEDAR HILL TX 75104

BEATRICE WALKER EST  
(NO ADDRESS LISTED)

ISAAC MORRIS  
(NO ADDRESS LSITED)

STEVEN G DAVIS  
2700 FINKLES RD  
HALLSVILLE TX 75650

NAPOLEON & THEOLA JOHNSON  
6424 EMBASSY DR  
FORT WORTH TX 76119

---

FAX Number 214-777-1380

FROM: TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Name Cindy Cavazos

Division/Region Water Quality Division

Telephone Number 512.239.4561

FAX Number 512.239.0884

NOTES:

RE: PERMIT NO WQ0002496000

Applicants are required to publish the Notice of Receipt of Application and Intent to Obtain a Water Quality Permit within 30 days of the application being declared administratively complete.

Attached is:

- Letter of Declaration of Administrative Completeness
- Instructions of Public Notice
- Notice of Receipt of Application and Intent to Obtain a Water Quality Permit
- Affidavit of Publication
- Public Notice Verification Form

**A copy of these documents will also be sent via regular mail.**

If you have any questions, please call me at the number listed above.

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Oct 2 2006 10:29

P.1

\*\* Transmit Conf. Report \*\*

Fax:512-239-4420

TC00



Protecting Texas  
by Reducing and  
Preventing Pollution

# FAX TRANSMITTAL

DATE: 10/2/2006

NUMBER OF PAGES (including this cover sheet):

14

TO:      Name                      Franklin L. Mills  
                 Organization        American Electric Power  
                 FAX Number         214-777-1380

FROM:    TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

                 Name                      Cindy Cavazos  
                 Division/Region       Water Quality Division  
                 Telephone Number    512.239.4561  
                 FAX Number            512.239.0884

## NOTES:

RE: PERMIT NO WQ0002496000

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- Public Notice Verification Form

**A copy of these documents will also be sent via regular mail.**

If you have any questions, please call me at the number listed above.

Kathleen Hartnett White, *Chairman*  
Larry R. Soward, *Commissioner*  
Glenn Shankle, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

October 2, 2006

Mr. Franklin L. Mills  
American Electric Power  
1201 Elm Street, Suite 800  
Dallas, Texas 75270

RE: Declaration of Administrative Completeness  
Applicant Name: Southwestern Electric Power Company (CN600126767)  
Permit No.: WQ0002496000 (EPA I.D. No. TX0087726) (RN100214287)  
Type of Authorization: Major Amendment

Dear Mr. Mills:

The executive director has declared the above referenced application, received on August 31, 2006, administratively complete on October 2, 2006.

You are now required to publish notice of your proposed activity and make a copy of the application available for public review. The following items are included to help you meet the regulatory requirements associated with this notice:

- Notice for Newspaper Publication
- Instructions for Public Notice
- Publisher's Affidavits
- Public Notice Verification Form

You must follow all the directions in the enclosed instructions. The most common mistakes are the unauthorized changing of notice, wording, or font. If you fail to follow these instructions, you may be required to republish the notices.

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The following requirements are also described in the enclosed instructions. However, due to their importance, they are highlighted here as well.

Declaration of Administrative Completeness

Page 2

October 2, 2006

1. Publish the enclosed notice within **30 calendar days** after your application is declared administratively complete. (See this letter's first paragraph for the declaration date.) **You may be required to publish the notice in more than one newspaper, including a newspaper published in an alternative language, to satisfy all of the notice requirements.**
2. On or before the date you publish notice, place a copy of your permit application in a public place in the county where the facility is or will be located. This copy must be accessible to the public for review and copying, must be updated to reflect changes to the application, and must remain in place throughout the comment period.
3. For each publication, return an original clipping of the newspaper notice that shows the publication date and newspaper name to the Office of the Chief Clerk within **10 business days** after notice is published in the newspaper.
4. Return the original enclosed Public Notice Verification and the Publisher's Affidavits to the Office of the Chief Clerk within **30 calendar days** after the notice is published in the newspaper.

If you do not comply with all the requirements described in the instructions, further processing of your application may be suspended or the agency may take other actions.

If you have any questions regarding publication requirements, please contact the Office of the Chief Clerk at 512-239-3300. If you have any questions regarding the content of the notice, please contact Cindy Cavazos at (512) 239-4561.

Sincerely,



Laurie J. Lancaster, Team Leader  
Applications Review and Processing Team (MC148)  
Customer Information and Application Processing Section  
Water Quality Division

---

LJL/cmc

Enclosures

cc: TCEQ Region 5, Water Program Manager

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN WATER QUALITY PERMIT AMENDMENT

**PERMIT NO. WQ0002496000**

**APPLICATION.** Southwestern Electric Power Company, 2400 Farm-to-Market Road 3251, Hallsville, Texas 75650, which operates a steam electric power generation facility, has applied to the Texas Commission on Environmental Quality (TCEQ) to amend Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0002496000 (EPA I.D. No. TX0087726) to authorize: the relocation of Outfall 004; the expansion of the ash landfill; the use of ash pond water as a dust suppressant; a reduction in the monitoring frequency for selenium at Internal Outfall 102; the elimination of the schedule of compliance for selenium at Outfall 006; the addition of the definition of flow weighted average temperature in regard to the effluent limitations for Outfall 002; and a reduction in the monitoring frequency for total suspended solids for Internal Outfall 302. The facility is located adjacent to Red Oak Road at a point approximately six miles southeast of the City of Hallsville, Harrison County, Texas. The discharge routes are from the plant site: via Outfalls 002 and 003 to Brandy Branch Reservoir, thence to Brandy Branch Creek, thence to the Sabine River Above Toledo Bend Reservoir; and via Outfalls 004, 005, and 006 to unnamed tributaries of Hatley Creek, thence to Hatley Creek, thence to the Sabine River Above Toledo Bend Reservoir. TCEQ received this application on August 31, 2006. The permit application is available for viewing and copying at the City of Marshall Public Library, 300 South Alamo Street, Marshall, Texas.

**ADDITIONAL NOTICE.** TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application. **Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.**

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**PUBLIC COMMENT / PUBLIC MEETING.** You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

**OPPORTUNITY FOR A CONTESTED CASE HEARING.** After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing.** A contested case hearing is a legal proceeding similar to a civil trial in state district court.

**TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST:** your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; and, the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission will only grant a contested case hearing on disputed issues of fact that are relevant and material to the Commission's decision on the application. Further, the Commission will only grant a hearing on issues that were raised in timely filed comments that were not subsequently withdrawn. ~~TCEQ may act on an application to renew a permit for discharge of wastewater without providing an opportunity for a contested case hearing if certain~~  
criteria are met.

**MAILING LIST.** If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

**AGENCY CONTACTS AND INFORMATION.** All written public comments and requests must be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. If you need more information about this permit application or the permitting process, please call TCEQ Office of Public Assistance, Toll Free, at 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040. General information about TCEQ can be found at our web site at [www.tceq.state.tx.us](http://www.tceq.state.tx.us).

Further information may be obtained from Southwestern Electric Power Company at the address stated above or by calling Franklin L. Mills, of American Electric Power, at (214) 777-1507.

Issuance Date: October 2, 2006

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# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## INSTRUCTIONS FOR PUBLIC NOTICE

### For Water Quality Permit (Renewal/Amendment/New)

#### NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN PERMIT

Your application has been declared administratively complete and now you must comply with the following instructions:

##### Please Review Notice

Included in the notice is all of the necessary information. Please read it carefully and notify Cindy Cavazos immediately if it contains any errors or omissions. You are responsible for ensuring the accuracy of all information published. You may not change the text or formatting of the notice without prior approval from the TCEQ.

##### Newspaper Notice

- You must publish the enclosed Notice of Receipt of Application and Intent to Obtain Permit within **30 calendar days** after the date of administrative completeness. Refer to the cover letter for the date of administrative completeness.
  - You must publish the enclosed Notice of Receipt of Application and Intent to Obtain Permit at your expense, at least once in the newspaper of largest circulation within each county where the facility is or will be located or, if the facility is located or will be located in a municipality, at least once in a newspaper of general circulation in the municipality.
  - If the discharge point or potential discharge point is located in a different county than the facility, you must publish the enclosed Notice of Receipt of Application and Intent to Obtain Permit at your expense, in a newspaper that is of the largest circulation within each county.
- 
- These requirements may be satisfied by one publication if the newspaper meets all of the above requirements.
  - The bold text of the enclosed notice must be printed in the newspaper in a font style or size that distinguishes it from the rest of the notice (i.e., **bold**, *italics*). **Failure to do so may require re-notice.**

### **Alternative Language Notice**

If your application was received on or after November 30, 2005, you must publish notice in an alternative language if the following criteria are met.

- You must publish the public notice in an alternative language if either the elementary or middle school nearest to the facility or proposed facility is required to provide a bilingual education program as required by Texas Education Code, Chapter 29, Subchapter B, and 19 TAC §89.1205(a) and one of the following conditions is met:
  - students are enrolled in a program at that school;
  - students from that school attend a bilingual education program at another location; or
  - the school that otherwise would be required to provide a bilingual education program waives out of this requirement under 19 TAC §89.1205(g).
- If triggered, you must publish the notice in the alternative language taught in the bilingual education program. You must publish this notice in a newspaper or publication primarily published in that alternative language. The newspaper or publication must be of general circulation in the county in which the facility is located or proposed to be located. If the facility is located or proposed to be located in a municipality, and there exists a newspaper or publication of general circulation in the municipality, you must publish the notice only in the newspaper or publication in the municipality.
- You must demonstrate a good faith effort to identify a newspaper or publication in the required language. If there is no general circulation newspaper or publication printed in such language, then publishing in that language is not required. Publication in an alternative language section or insert within a large publication which is not printed primarily in that alternative language does not satisfy these requirements.
- You have the burden to demonstrate compliance with these requirements. To assist you in meeting these requirements, the TCEQ has provided a Public Notice Verification Form (enclosed). You must fill out the attached Public Notice Verification Form indicating your compliance with the requirements regarding publication in an alternative language.
- If you are required to publish notice in Spanish, you must translate the site-specific information in the notice that is specific to your application, at your own expense. You may then insert the Spanish translation of your site-specific information into a Spanish template developed by the TCEQ. You may obtain the electronic version of the Spanish template from the TCEQ website at [www.tceq.state.tx.us/assets/public/permitting/waterquality/attachments/review/inchresp.pdf](http://www.tceq.state.tx.us/assets/public/permitting/waterquality/attachments/review/inchresp.pdf).
- If you are required to publish notice in a language other than Spanish, you must translate the entire public notice, at your own expense.

### **Proof of Publication**

- Check each publication to ensure that the notices were accurately published. If a notice was not published correctly you may have to republish.
- You must submit an **original newspaper clipping** of the published notice for **each** newspaper. The original newspaper clipping must show the date of publication and the name of the newspaper. You must submit the original newspaper clipping to the Office of the Chief Clerk within **10 business days** after the date of publication.
- For each newspaper notice, you must submit an **original Publisher's Affidavit** to the Office of the Chief Clerk within **30 calendar days** after the date of publication. **For each required published notice, you must use the appropriate Publisher's Affidavit form that is enclosed with these instructions.** The affidavit must clearly identify the applicant's name and permit number.
- You are encouraged to submit the Publisher's Affidavit with the original newspaper clipping within 10 business days after the date of publication. However, the affidavit must be submitted no later than **30 calendar days** after publication of notice.
- You must fill out the attached Public Notice Verification form. On this Form, you must verify that you submitted the original notices and the Publisher's Affidavits as required by the TCEQ's regulations and instructions. This form must be submitted with the Publisher's Affidavit within **30 calendar days** after publication of the notice.
- The **original Publisher's Affidavit, the Public Notice Verification form, and the original newspaper clippings of the published notice** must be mailed to:

TCEQ  
Office of the Chief Clerk, MC 105  
Attn: Notice Team  
P.O. Box 13087  
Austin, Texas 78711-3087

- Please ensure that the affidavit and newspaper clipping you send to the Office of the Chief Clerk are originals and that all blanks on the affidavit are filled in correctly. Photocopies of newspaper clippings and affidavits will not be accepted.

### **Failure to Publish and Submit Proof of Publication**

If you fail to publish the notice or submit proof of publication by the deadlines set forth above, the TCEQ may suspend further processing of your application or take other action.

### **Application in a Public Place**

- You must put a copy of the administratively complete application in a public place for review and copying by the public. This public place must be located in the county where the facility is or proposed to be located.

- A public place is one that is publicly owned or operated (ex: libraries, county courthouses, or city halls).
- The administratively complete application must be available **beginning on the first day of newspaper publication and must remain in place until the end of the comment period.**
- During the technical review, you must update the publicly available application so that it includes all application revisions within **10 business days** from the date the revision is transmitted to the TCEQ.
- If the application was submitted to the TCEQ with information marked as confidential, you must indicate in the public copy of the application that there is additional information in a confidential file. These portions of the application must be accompanied with the following statement: "Any request for portions of this application that are marked as confidential must be submitted in writing, pursuant to the Public Information Act, to the TCEQ Public Information Coordinator, MC 197, P.O. Box 13087, Austin, Texas 78711-3087".
- You must fill out the attached Public Notice Verification form. On this Form, you must verify that a complete water quality application and all subsequent revisions are available for review and copying in a public place as required by the TCEQ's regulations and instructions. This Form must be submitted with the Publisher's Affidavit within **30 calendar days** after publication of the notice.

### **General Information**

When contacting the Commission regarding this application, please refer to the permit number at the top of the Notice of Receipt and Intent to Obtain Permit.

If you have any questions regarding publication requirements, please contact the Office of the Chief Clerk at 512-239-3300. If you have any questions regarding the content of the notice, please contact Cindy Cavazos at (512) 239-4561.

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MC-105 Attn: Notice Team  
P.O. BOX 13087  
AUSTIN, TX 78711-3087

Applicant Name: Southwestern Electric Power  
Company  
Permit No. WQ0002496000  
Notice of Intent to Obtain Permit

STATE OF TEXAS                               §  
COUNTY OF \_\_\_\_\_ §

My Commission Expires \_\_\_\_\_

TCEQ-OFFICE OF THE CHIEF CLERK  
MC-105 Attn: Notice Team  
PO BOX 13087  
AUSTIN TX 78711-3087

Applicant Name: Southwestern Electric Power Company  
Permit No.: WQ0002496000  
Notice of Intent to Obtain Permit

ALTERNATIVE LANGUAGE PUBLISHER'S AFFIDAVIT

STATE OF TEXAS §  
COUNTY OF \_\_\_\_\_ §

Before me, the undersigned notary public, on this day personally appeared

\_\_\_\_\_, who being by me duly sworn, deposes  
*(name of newspaper representative)*

and says that (s)he is the \_\_\_\_\_ of the  
*(title of newspaper representative)*

\_\_\_\_\_; that said newspaper is  
*(name of newspaper)*

generally circulated in \_\_\_\_\_ County, Texas and  
*( same county as proposed facility)*

is published primarily in \_\_\_\_\_ language; that the  
*(alternative language)*  
attached notice was published in said newspaper on the following date(s):

\_\_\_\_\_.

Subscribed and sworn to before me this the \_\_\_\_\_ day of \_\_\_\_\_,

20\_\_\_\_, by \_\_\_\_\_  
*(Newspaper Representative's Signature)*

(Seal)

\_\_\_\_\_  
Notary Public in and for the State of Texas

\_\_\_\_\_  
Print or Type Name of Notary Public

\_\_\_\_\_  
My Commission Expires \_\_\_\_\_



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
Public Notice Verification Form  
Water Quality Permit

OCC# \_\_\_\_\_  
(TCEQ use only)

Applicant Name: \_\_\_\_\_

Site or Facility Name: \_\_\_\_\_

TCEQ Account Number (if applicable): \_\_\_\_\_ Permit Number: \_\_\_\_\_

Regulated Entity Number: \_\_\_\_\_ Customer Number: \_\_\_\_\_

All applicants must complete all applicable portions of this form. The completed form should be sent to the TCEQ to the attention of the Office of the Chief Clerk. For more information regarding public notice refer to the instructions in the public notice package.

**ALTERNATIVE LANGUAGE CHECKLIST**

I have contacted the appropriate school district. ☐ YES ☐ NO

A bilingual education program is required by the Texas Education Code in the district. ☐ YES ☐ NO

School District:

Phone:

Person Contacted:

Date:

The name of the elementary school nearest to the proposed or existing facility is:

The name of the middle school nearest to the proposed or existing facility is:

Students who attend one of the schools above are eligible to be enrolled in a bilingual program provided by the district. ☐ YES ☐ NO

The following language(s) is/are utilized in the bilingual program:

**If an applicable bilingual program exists, then applicants must publish a notice and/or post signs, as outlined in the *Instructions for Public Notice* and certify as applicable on this form.**

**ALTERNATIVE LANGUAGE VERIFICATION**

I verify that the area addressed by this permit application is subject to alternative language public notice requirements. ☐ YES ☐ NO

I verify that the applicant has conducted a diligent search for a newspaper or publication of general circulation in both the municipality and county in which the facility is located (or proposed to be located). ☐ YES ☐ NO

I verify that no such newspaper or publication was found in any of the language(s) in which notice is required. ☐ YES ☐ NO

I verify that the publishers of the newspapers listed below refused to publish the notice as requested, and no other newspaper or publication in the same language and of general circulation was found in the municipality or county in which the facility is located (or proposed to be located). ☐ YES ☐ NO ☐ N/A

Newspaper:

Language:

I verify that bilingual sign(s) required by the TCEQ were posted. (if applicable) ☐ YES ☐ NO

I verify that original tear sheets of the newspaper alternative language notice(s) and the requested affidavits have been sent to the TCEQ. ☐ YES ☐ NO

Signed by:

Applicant:

Title:

Date:



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
Public Notice Verification Form  
Water Quality Permit

OCC# \_\_\_\_\_  
(TCEQ use only)

Applicant Name: \_\_\_\_\_

Site or Facility Name: \_\_\_\_\_

TCEQ Account Number (if applicable): \_\_\_\_\_ Permit Number: \_\_\_\_\_

Regulated Entity Number: \_\_\_\_\_ Customer Number: \_\_\_\_\_

**WATER QUALITY PERMIT NOTICE VERIFICATION**

I verify that original tear sheets of the newspaper notices and the requested affidavits have been furnished in accordance with the regulations and instructions of the TCEQ. ☐ YES ☐ NO

**Notice of Receipt of Application and Intent to Obtain Permit (1<sup>st</sup> Notice):**

I verify that a copy of the complete water quality application, and any revisions, were available for review and copying at the public place indicated below throughout the duration of the public comment period. ☐ YES ☐ NO

**Notice of Application and Preliminary Decision (2<sup>nd</sup> Notice, if applicable):**

I verify that a copy of the complete water quality application and draft permit, and any revisions, are available for review and copying at the public place indicated below from the first day after newspaper publication; and

I also verify that the water quality application and draft permit, and any revisions, will remain in the designated public place until either:

- 1) the TCEQ acts on the application; or
- 2) the application is referred to the State Office of Administrative Hearings (SOAH) for hearing.

☐ YES ☐ NO

Name and Address of Public Place: \_\_\_\_\_

Signed by: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



September 25, 2006

Certified Mail—Return Receipt Requested 7005 1820 0000 9474 2463

Texas Commission on Environmental Quality  
Attn: Ms. Cindy Cavazos, Registration, Review, & Reporting Division  
Permits Administrative Review Section (MC 161)  
Water Quality Applications Team  
P. O. Box 13087  
Austin, Texas 78711-3087

**RECEIVED**

SEP 27 2006

Water Quality Applications Team

RE: Southwestern Electric Power Company (SWEPCO)  
H. W. Pirkey Power Plant  
TCEQ TPDES Permit No. 02496

Dear Ms. Cavazos:

On September 11, 2006, AEP received a letter from TCEQ letter dated September 8, 2006, in reference to an application received by TCEQ for amendment and renewal of a wastewater permit on behalf of SWEPCO and Pirkey Power Plant. The letter requested submittal of additional information in order for the application to be administratively complete. I have assembled and enclosed the information, and have prepared the following itemized responses to coincide with the items requested in the letter:

For Item No. 1, please be advised that the Hallsville Independent School District has the nearest school to the power plant, and they are not currently required to have a bilingual program as specified in the Texas Education Code. Therefore, there is no subsequent requirement to publish public notices associated with this permit action in an alternative language.

For Item No. 2, I have procured and enclosed a check in the amount of \$50.00 in order to cover additional postage fees anticipated in conjunction with the mailing of public notices associated with this permit action. The additional fees will be forwarded to the Revenue Section of TCEQ under a separate cover letter, as required.

For Item No. 3, please be advised that the current permit contains the correct discharge route description for the relocated (proposed) Outfall 004. If the proposal to expand the Landfill Pond is approved, the outfall will be relocated essentially immediately downstream (and within the same discharge route) of its present location. The path of the discharge has been highlighted on the enclosed revised topographic maps for your convenience.

For Item No. 4, the electronic versions of the USGS topographic maps that were originally spliced have now been separated, and the appropriate corresponding information for the facility has been re-plotted on the maps, as required. In addition, all of the coordinates and information in the map legends are now legible, as specified in your letter. The path of discharge from Outfalls 004, 005, and 006 has also been highlighted for your convenience. Please be reminded that the discharges from Outfalls 002 and 003 enter directly into Brandy Branch Reservoir.

For Item 5 (a), one of the areas you highlighted on the landowner map is not owned by Southwestern Electric Power Company. I have revised the landowner tract borders and numbers in red ink on the map for purposes of clarification.

The tracts identified as #1071-058 and #1071-059 are privately owned by the same landowner. The tracts identified as #1071-038, #1071-104, and #1071-105 are all owned by Southwestern Electric Power Company. In addition, I have revised and enclosed the Landowner Line list and Landowner Mailing List to include the names and mailing addresses of the owner of the tracts #1071-058 and #1071-059.

For Item 5 (b), we originally plotted the landowner information on the USGS topographic maps for purposes of convenience, however, some of the landowner details were difficult to read and the path of discharge relative to certain properties was also difficult to ascertain. For these reasons we included a separate landowner map that does not include the topographic features. The landowner map should be the same approximate scale, 1:24,000, or approximately 1 inch = 2000 ft. I have corrected and included the proper scale on the enclosed landowner map for your convenience.

For Item No. 6, the mailing address list for the identified landowners is as complete as possible. There are several landowners in the project area that have incomplete and/or inadequate information with respect to their mailing addresses. In most cases AEP representatives have even attempted direct contact through known relatives, however, several landowners on the mailing list have unknown addresses and cannot be located or contacted. The affidavit describing the source and accuracy of the landowner information has been completed and is enclosed for your convenience.

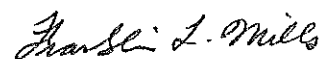
For Item No.7, please be advised that Item 4 of the technical report has been completed. The applicable associated pages have been revised and are included for your convenience as part of this submittal. Please note that only "extra" pages for pages 5 and 6 were necessary to complete the information requested in your letter for Outfall 006.

For Item No. 8, please be advised that the portion of the Notice of Receipt of Application and Intent to Obtain a Water Quality Permit that was forwarded in your letter is accurate and complete. No changes need to be made to this item.

In consideration of the above-mentioned information, I have enclosed one original and three copies of the bilingual errata sheet, check for \$50.00, revised USGS topographic maps, revised Landowner Map, completed landowner affidavit, and revised pages 5 and 6 of the Technical Report section of the application. I have also enclosed one original and three copies of the revised Landowner Line List reflecting the names and addresses of the additional landowners. In addition, a revised diskette is enclosed that has all of the landowner's names and addresses formatted according to the instructions provided with the application. Your attention to these details is appreciated.

Please contact me at (214) 777-1507 if you have any additional questions concerning the application. Thank you.

Sincerely,



Franklin L. Mills  
Senior Environmental Specialist  
Water & Ecological Resource Services  
American Electric Power

Enclosures

C: Arne Melson (W/  
Oliver Jefferson (W/O)  
Kelly Spencer (W/O)  
Russ Draves (W/O)  
File PRK.180.45.30.2006 (W/)

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Water Quality Applications team

## BILINGUAL NOTICE ITEMS

Bilingual notice may be required for new permit applications, major amendment applications and renewal applications (not applicable for minor amendment or minor modification applications) received on or after November 30, 2005. If an elementary school or middle school nearest to the facility offers a bilingual program, notice may be required to be published in an alternative language. The Texas Education Code, upon which the TCEQ alternative language notice requirements are based, triggers a bilingual education program to apply to an entire school district should the requisite alternative language speaking student population exist. However, there may not exist any bilingual-speaking students at a particular school within a district which is required to offer the bilingual education program. For this reason, the requirement to publish notice in an alternative language is triggered if the nearest elementary or middle school, as a part of a larger school district, is required to make a bilingual education program available to qualifying students and the school either has students enrolled at such a program on-site, or has students who attend such a program at another location in satisfaction of the school's obligation to provide such a program as a member of a triggered district.

If it is determined that a bilingual notice is required, the applicant is responsible for ensuring that the publication in the alternate language is complete and accurate in that language.

### Bilingual Notice Requirements:

#### FOR NEW PERMIT APPLICATIONS, MAJOR AMENDMENT AND RENEWAL APPLICATIONS

(Not applicable for minor amendment or minor modification applications)

1. Is a bilingual program required by the Texas Education Code in the school district where the facility is located?

\_\_\_\_\_ Yes X No (If No, alternative language notice publication is not required, skip remaining items.)

2. If Yes to question 1, are students enrolled in a bilingual education program at either the elementary school or the middle school nearest to the facility?

\_\_\_\_\_ Yes \_\_\_\_\_ No (If Yes to questions 1 and 2, alternative language publication is required; If No to question 2, then consider the next question.)

3. If Yes to question 1, are there students enrolled at either the elementary school or the middle school nearest to the facility who attend a bilingual education program at another location?

\_\_\_\_\_ Yes \_\_\_\_\_ No (If Yes to questions 1 and 3, alternative language publication is required; If No to question 3, then consider the next question.)

4. If Yes to question 1, would either the elementary school or the middle school nearest to the facility be required to provide a bilingual education program but for the fact that it secured a waiver from this requirement, as available under 19 TAC §89.1205(g)?

\_\_\_\_\_ Yes \_\_\_\_\_ No (If Yes to questions 1 and 4, alternative language publication is required; If No to question 4, alternative language notice publication not required.)

5. If a bilingual education program(s) is provided by either the elementary school or the middle school nearest to the facility, which language(s) is required by the bilingual program?

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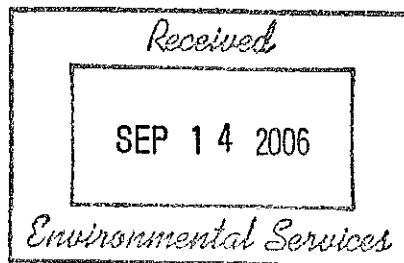
Water Quality Applications Team

Check Date: 09/13/2006

Check No. 3000051909

| Invoice Number | Invoice Date | PO Number | Voucher ID | Gross Amount | Adjustments | Paid Amount |
|----------------|--------------|-----------|------------|--------------|-------------|-------------|
| PRKADDITIONALP | 09/11/2006   |           | 00129935   | 50.00        | 0.00        | 50.00       |

Pamala J York / Franklin L Mills, Dallas, Environmental



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| Vendor Number | Vendor Name                     |                   |
|---------------|---------------------------------|-------------------|
| 0000166110    | TEXAS COMMISSION ON ENV QUALITY |                   |
| Total Amount  | Total Adjustments               | Total Paid Amount |
| \$50.00       | \$0.00                          | \$50.00           |

Southwestn Elec Pwr Co - Gen  
P O Box 24400  
Canton, OH 44701  
877/286-2729

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND - NOT A WHITE BACKGROUND



SOUTHWESTN ELEC PWR CO - GEN  
P O Box 24400  
Canton, OH 44701

CITIBANK, N.A.  
New Castle, DE 19720  
62-20/311

3000051909

Date 09/13/2006



Pay \*\*\*\*\*FIFTY AND XX / 100 DOLLAR\*\*\*\*\*

To The  
Order Of

TEXAS COMMISSION ON ENV QUALITY  
P O BOX 13089  
AUSTIN, TX 78711-3089

Pay Amount \$50.00\*\*\*

Authorized Signature

THIS DOCUMENT IS PRINTED ON WATERMARKED PAPER - HOLD TO LIGHT TO VIEW

⑈ 3000051909⑈ ⑆031100209⑆ 38647694⑈

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Submitted herewith, as an attachment to the application of Southwestern Electric Power Company - H. W. Pirkey Power Plant for a Texas Water Code permit is a list of landowners who might reasonably consider themselves to be affected by the proposed activities described in the application. The list of landowners is cross-referenced to the application map and includes the following persons:

- (X) Person owning property adjacent to the plant site and to the watercourse for one (1) mile downstream from the point of discharge.
- (X) Persons owning property adjacent to the plant site and for one-half (1/2) mile either side of the point of discharge to a lake or reservoir.
- (X) Persons owning property immediately adjacent to the plant site and/or that area to which the defined waste will be applied, deposited, injected or retained.
- ( ) Persons owning property within a 1/2 mile radius of the property boundaries where sludge disposal is proposed.
- ( ) Persons owning property within a 1/4 mile radius of the property boundaries where sludge disposal is proposed.

I do hereby certify that the names and mailing addresses provided are current and correct to the best of my knowledge on September 13, 2006 as obtained from the records of

Harrison County Central Appraisal District  
(Specify: City, County, School, Water District, etc.)

Paul Franklin

(Typed or Printed Name)

Paul Franklin

(Signature)

SUBSCRIBED AND SWORN to before me by the said PAUL FRANKLIN  
on this 15<sup>th</sup> day of September, 2006.

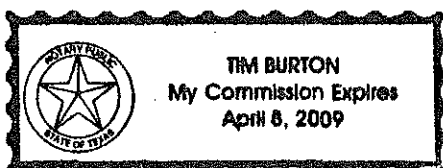
(SEAL)

Tim Burton

Notary Public in and for

Harrison

County, Texas  
(State)



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Water Quality Enforcement Team

**THE FOLLOWING ITEMS ARE REQUIRED ONLY FOR NEW OR PROPOSED IMPOUNDMENTS.**

b. Indicate by a check mark if any of the following data was provided with the application:

- (1) \_\_\_\_\_ Synthetic/plastic/rubber liner data  
(2) \_\_\_\_\_ In-situ clay liner data

Attachment: \_\_\_\_\_

c. Are there any leak detection systems or ground water monitoring wells in place or planned? ☒ Yes ☐ No

\_\_\_\_\_ If yes, indicate by a check mark that a separate attachment was provided with the leak detection system information for each pond and/or ground water monitoring well data.

Attachment: \_\_\_\_\_

d. Is the bottom of the pond above the seasonal high water table in the most shallow water bearing zone?  
\_\_\_\_\_ Yes \_\_\_\_\_ No

\_\_\_\_\_ If no, indicate by a check mark that additional information was provided describing the depth of the seasonal high water table in the most shallow water bearing zone in relation to the depth of the bottom of the new or proposed impoundment and how this may or may not impact groundwater.

e. Indicate by a check mark that the following information was provided:

\_\_\_\_\_ A USGS quadrangle map or a color copy of original quality and scale which accurately locates and identifies water supply wells and/or monitor wells within 1/2 mile radius of the impoundments.

\_\_\_\_\_ Copies of State Water Well Reports (driller's logs, completion data), and data on depths to ground water for water supply wells including a description of how the depths to ground water were obtained.

**For TLAP permit applications:** \_\_\_\_\_ Indicate by a check mark that the new or proposed impoundment(s) and the land application disposal area are located in the same general area and the information for this item is provided in Worksheet 3.0 (item 8).

f. \_\_\_\_\_ Indicate by a check mark if any data was provided with the application pertaining to the ground water, soils, geology, etc. used to assess the potential for migration of wastes from the impoundments and/or the potential for contamination of ground water or surface water.

**4. OUTFALL/DISPOSAL METHOD INFORMATION (Instructions, page 25)**

Complete the following tables to describe the location and wastewater discharge or disposal operations for each outfall for discharge operations and for each point of disposal for TLAP operations.

**For TLAP permit applications:** Indicate the disposal method and each individual **irrigation area (I)**, **evaporation pond (E)**, or **subsurface drainage system (S)** by providing the appropriate letter designation for the disposal method followed by a numerical designation for each disposal area (e.g. evaporation pond, application area) in the space provided for "Outfall" designation (e.g. "E1" for evaporation pond 1, "I2" for irrigation area No. 2, etc.).

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OUTFALL: 006

| Latitude  |         |     | Longitude                     |         |     | Location Description   |                 |
|---|---------|-----|-------------------------------|---------|-----|--|-----------------|
| 32  | 27'     | 30" | 94                            | 29'     | 00" | On southwest side of ash pond system prior to discharge to unnamed tributary of Hatley Creek                           |                 |
| Permitted Flow (MGD)  |         |     | Proposed Flow (MGD)           |         |     |  |                 |
| Dly Avg   | Dly Max |     | Dly Avg                       | Dly Max |     | Discharge Duration   |                 |
| Report  | Report  |     | Report                        | Report  |     | 24 (hrs./day) 28-31 (days/mo.) 12 (mo./year)   |                 |
| <input type="checkbox"/> Pumped <input checked="" type="checkbox"/> Gravity                             |         |     | Measurement Device: Estimated |         |     | <input type="checkbox"/> Intermittent <input type="checkbox"/> Seasonal <input checked="" type="checkbox"/> Continuous |                 |
| Contributing Wastestreams:  |         |     |                               |         |     | Volume (MGD)   | % of Total Flow |
| Commingled Wastewater - Ash Pond (includes Low Volume wastewater, ash pond wastewater, and storm water) |         |     |                               |         |     | 0-5  | 100%            |
|   |         |     |                               |         |     |  |                 |
|   |         |     |                               |         |     |  |                 |
|   |         |     |                               |         |     |  |                 |
|   |         |     |                               |         |     |  |                 |
|   |         |     |                               |         |     |  |                 |
|   |         |     |                               |         |     |  |                 |
|   |         |     |                               |         |     |  |                 |
|   |         |     |                               |         |     |  |                 |

OUTFALL: \_\_\_\_\_

| Latitude  |         |  | Longitude                 |         |  | Location Description   |                 |
|---|---------|--|---------------------------|---------|--|--|-----------------|
|   |         |  |                           |         |  |  |                 |
| Permitted Flow (MGD)  |         |  | Proposed Flow (MGD)       |         |  |  |                 |
| Dly Avg   | Dly Max |  | Dly Avg                   | Dly Max |  | Discharge Duration   |                 |
|   |         |  |                           |         |  | (hrs./day) (days/mo.) (mo./year)   |                 |
| <input checked="" type="checkbox"/> Pumped <input type="checkbox"/> Gravity |         |  | Measurement Device: _____ |         |  | <input type="checkbox"/> Intermittent <input type="checkbox"/> Seasonal <input checked="" type="checkbox"/> Continuous |                 |
| Contributing Wastestreams:  |         |  |                           |         |  | Volume (MGD)   | % of Total Flow |
|   |         |  |                           |         |  |  |                 |
|   |         |  |                           |         |  |  |                 |
|   |         |  |                           |         |  |  |                 |
|   |         |  |                           |         |  |  |                 |
|   |         |  |                           |         |  |  |                 |
|   |         |  |                           |         |  |  |                 |
|   |         |  |                           |         |  |  |                 |
|   |         |  |                           |         |  |  |                 |

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# PRELIMINARY LINE LIST- PIRKEY POWER PLANT

| TRACT ID | NAME                             | ADDRESS   | LEASE   |
|----------|----------------------------------|---|---------|
| #5-5     | ESTELLA DANIELS c/o LINDA FULLER | 1803 THOMAS ST, MARSHALL, TX 75672              | LH-235A |
| #5-5     | BRANDY ADKINS                    | 8430 ANTOINE DR #291, HOUSTON, TX 77088         | LH-235B |
| #5-5     | CALVIN HENRY ADKINS              | 1117 EDWARDS ST, HOUSTON, TX 77007              | LH-235B |
| #5-5     | GERALDINE ADKINS                 | 8430 ANTOINE DR #291, HOUSTON, TX 77088         | LH-235B |
| #5-5     | HARRIET ADKINS WILLIAMS          | 5300 COKE ST #68, HOUSTON, TX 77020             | LH-235B |
| #5-5     | JOSEPH EARL ADKINS               | 1512 GALE, HOUSTON, TX 77060                    | LH-235B |
| #5-5     | KEITH RENARD ADKINS              | 1117 EDWARDS STREET, HOUSTON, TX 77007          | LH-235B |
| #5-5     | LYNN MARIE ADKINS STEPHENS       | 6603 HIRSCH RD #115, HOUSTON, TX 77026          | LH-235B |
| #5-5     | SHELIA WASHINGTON                | 13030 CRYSTAL COVE DR, HOUSTON, TX 77044        | LH-235B |
| #5-5     | AVA HOWARD                       | 13030 CRYSTAL COVE DR, HOUSTON, TX 77044        | LH-235B |
| #5-5     | CHEYENNE JACKSON                 | 1642 ASHBY AVE, BERKELEY, CA 94704              | LH-235B |
| #5-5     | BARBARA MORRISON                 | 1114 STEVENAGE LN, CHANNELVIEW, TX 77530        | LH-235B |
| #5-5     | DEVARO MORRISON                  | 1114 STEVENAGE LN, CHANNELVIEW, TX 77530        | LH-235B |
| #5-5     | JOHN MORRISON, V                 | 7912 TRINITY GATE DR., DALLAS, TX 75237         | LH-235B |
| #5-5     | WILMA JEAN MOSS                  | 13106 CHAPMAN AVE #4218, GARDEN GROVE, CA 92840 | LH-235B |
| #5-5     | LOTTIE FULLER SIMPSON            | 1509 OAK GROVE RD., FORT WORTH, TX 76134        | LH-235C |
| #5-5     | JAMES H SIMPSON                  | 4424 BURTON AVE, FORT WORTH, TX 76105           | LH-235D |
| #5-5     | ESTELLA DANIELS c/o LINDA FULLER | 1803 THOMAS ST, MARSHALL, TX 75672              | LH-235E |
| #5-5     | BOBBY G WASHINGTON               | 107 WINGATE, LONGVIEW, TX 75603                 | LH-235F |
| #5-5     | DARRELL WASHINGTON               | 106 W CULVER AVE, LONGVIEW, TX 75602            | LH-235F |
| #5-5     | INETA WASHINGTON ROBINSON        | 106 W CULVER AVE, LONGVIEW, TX 75602            | LH-235F |
| #5-5     | LARRY WASHINGTON                 | 1501 STONEWALL ST, LONGVIEW, TX 75604           | LH-235F |
| #5-5     | RUBEN WASHINGTON                 | 108 W CULVER AVE, LONGVIEW, TX 75602            | LH-235F |
| #5-5     | WILLIE L WASHINGTON              | 108 W CULVER AVE, LONGVIEW, TX 75602            | LH-235F |
| #5-5     | DENISE ADKINS RAINEY             | 1305 GAZANIA CIRCLE, RIVERSIDE, CA 92501        | LH-235G |
| #5-5     | DENNIS ADKINS                    | 1305 GAZANIA CIRCLE, RIVERSIDE, CA 92501        | LH-235G |
| #5-5     | DONALD ADKINS                    | 1305 GAZANIA CIRCLE, RIVERSIDE, CA 92501        | LH-235G |
| #5-5     | TOMMIE LEE HESTER JAMERSON       | 212 BROWN, LONGVIEW, TX 75602                   | LH-235H |
| #5-5     | SYLVIA HESTER BLAIR EST          | 941 JESSAMINE ST, FORT WORTH, TX 76104          | LH-235I |
| #5-5     | ZEPHYR ADKINS PRUITT             | 2328 9TH ST, BERKELEY, CA 94710                 | LH-235J |
| #5-5     | MERCEDESE HESTER FRENCH          | 706 3/4 W 76TH, LOS ANGELES, CA 90044           | LH-235K |
| #5-5     | JEWELL BURWELL                   | 4721 S ARLINGTON AVE, LOS ANGELES, CA 90043     | LH-235L |
| #5-5     | ELSIEDENE WASHINGTON             | 4721 S ARLINGTON AVE, LOS ANGELES, CA 90043     | LH-235L |
| #5-5     | CLYDE COLE HESTER                | 4721 1/2 S ARLINGTON AVE, LOS ANGELES, CA 90043 | LH-235L |
| #5-5     | HORATIO ADKINS                   | 635 E 121ST ST, LOS ANGELES, CA 90059           | LH-235N |
| #5-5     | ELLA MAE FULLER WALKER           | 4217 WHITEHALL, FORT WORTH, TX 76119            | LH-235O |
| #5-5     | JAMES EARL FULLER                | PO BOX 171081, DALLAS, TX 75217                 | LH-235O |
| #5-5     | MARIE FULLER JOHNSON             | 1510 E BIRDSONG, LONGVIEW, TX 75602             | LH-235O |
| #5-5     | RAINEY HAYES FULLER              | 4603 E CROSSTIMBERS ST, HOUSTON, TX 77016-6336  | LH-235O |
| #5-5     | RAY EDWARD FULLER                | 2013 SO GREEN ST #A, LONGVIEW, TX 75602         | LH-235O |
| #5-5     | RAYFORD H FULLER                 | 1501 CLOVERDALE, FORT WORTH, TX 76134           | LH-235O |
| #5-5     | ALONZO COPELAND                  | 1404 SPRING, MARSHALL, TX 75670                 | LH-235P |
| #5-5     | THOMAS HENRY WOODKINS            | 1509 SPRING, MARSHALL, TX 75670                 | LH-235Q |
| #5-6     | CLARICE JOHNSON                  | 2422 CHEW, HOUSTON, TX 77020                    | LH-253A |
| #5-6     | GENEVA COUCH                     | 6646 OUTLOOK, OAKLAND, CA 94605                 | LH-253A |
| #5-6     | JEFFREY GILLIAM                  | 1239 PARKER, BERKLEY, CA 94702                  | LH-253A |

Water Quality Associates Team

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# PRELIMINARY LINE LIST- PIRKEY POWER PLANT

| TRACT ID | NAME                      | ADDRESS  | LEASE    |
|----------|---------------------------|--|----------|
| #5-6     | L H GILLIAM               | 1239 PARKER, BERKLEY, CA 94702                   | LH-253A  |
| #5-6     | MARGARET HAYES            | 1239 PARKER, BERKLEY, CA 94702                   | LH-253A  |
| #5-6     | TAFT GILLIAM              | 1239 PARKER, BERKLEY, CA 94702                   | LH-253A  |
| #5-6     | PEARLIE LACY BLAIR        | 426 42ND ST, OAKLAND, CA 94609                   | LH-253B  |
| #5-6     | NONA BELLE PORTER         | 5423 ROSBOROUGH SPRINGS RD., MARSHALL, TX 75672  | LHF-20   |
| #5-6     | RICHARD PORTER JR         | 5423 ROSBOROUGH SPRINGS RD., MARSHALL, TX 75672  | LHF-20   |
| #5-14    | DELIA ALEXANDER FULLER    | 4016 COLUMBUS STREET, DETROIT, MI 48204          | LH       |
| #5-14    | EARL FULLER               | 4016 COLUMBUS STREET, DETROIT, MI 48204          | LH       |
| #5-14    | HOUSTON FULLER            | 4016 COLUMBUS STREET, DETROIT, MI 48204          | LH       |
| #5-14    | LUVIDA FULLER             | 4016 COLUMBUS STREET, DETROIT, MI 48204          | LH       |
| #5-14    | ORA FULLER                | 4016 COLUMBUS STREET, DETROIT, MI 48204          | LH       |
| #5-14    | CAROL ANN SMITH PARKER    | 1205 E LAFAYETTE, OKMULGEE, OK 74447             | LH-240A  |
| #5-14    | KENNETH LAWRENCE PARKER   | 1205 E LAFAYETTE, OKMULGEE, OK 74447             | LH-240A  |
| #5-14    | MAXINE PARKER             | 1205 E LAFAYETTE, OKMULGEE, OK 74447             | LH-240A  |
| #5-14    | BETTY LOU MCFADDEN BARBEE | 1015 BOAT LANDING RD, BOWLING GREEN, KY 42101    | LH-240AA |
| #5-14    | JAMES D FULLER JR         | 835 EAST 6TH ST, ADA, OK 74280                   | LH-240B  |
| #5-14    | JANICE M PRATT            | 4948 NANCY AVENUE, LAS VEGAS, NV 89120           | LH-240B  |
| #5-14    | LEROY MCFADDEN            | BRYANTS VILLAGE #3, BOWLING GREEN, KY 42101      | LH-240BB |
| #5-14    | CLARA L WHITE FLOWERS     | 4109 BROOKLYN, KANSAS CITY, MO 64130             | LH-240C  |
| #5-14    | ROSA M CLARK              | 1812 N OVERBROOK, OKLAHOMA CITY, OK 73121        | LH-240C  |
| #5-14    | WILLIE BROUSSARD          | 4433 PARK, KANSAS CITY, MO 64130                 | LH-240CC |
| #5-14    | DAVIS J. FULLER           | 2613 NE RHODE ISLAND, OKLAHOMA CITY, OK 73111    | LH-240D  |
| #5-14    | WAYNE FULLER              | 15397 MONICA ST. # 5, DETROIT, MI 48238          | LH-240D  |
| #5-14    | MILDRED FULLER            | 10902 GREYSONE AVE, OKLAHOMA CITY, OK 73120      | LH-240D  |
| #5-14    | CHARLES E. JOHNSON        | 6117 WALROND, KANSAS CITY, MO 64130              | LH-240DD |
| #5-14    | LOTTIE FULLER SMITH       | 914 W 133RD ST, COMPTON, CA 90222                | LH-240E  |
| #5-14    | LINDA KAYE PARKER         | 1727 MASSACHUSETTS NW #401, WASHINGTON, DC 20036 | LH-240EE |
| #5-14    | OLLIE MAE FULLER REED     | 947 W 127TH ST, COMPTON, CA 90222                | LH-240F  |
| #5-14    | LORETTA GARRISON          | 4443 WRENWOOD, BALTIMORE, MD 21212               | LH-240FF |
| #5-14    | LEROY MCFADDEN JR         | 3022 TOWNSEND ST, ADA, OK 74820-1025             | LH-240G  |
| #5-14    | W B HAWKINS               | 4503 COWAN AVE, DALLAS, TX 75209                 | LH-240GG |
| #5-14    | CAROL PARKER WILLIAMS     | 17455 FLEMING, DETROIT, MI 48212                 | LH-240H  |
| #5-14    | CLIFFORD PARKER           | 17455 FLEMING, DETROIT, MI 48212                 | LH-240H  |
| #5-14    | GOLDIE PARKER             | 17455 FLEMING, DETROIT, MI 48212                 | LH-240H  |
| #5-14    | WILLIAM H. PARKER JR      | 17455 FLEMING, DETROIT, MI 48212                 | LH-240H  |
| #5-14    | YVONNE WILLIAMS           | 128 NE 16TH, OKLAHOMA CITY, OK 73104             | LH-240HH |
| #5-14    | WANDA EUBANKS RAY         | PO BOX 1745, TUSCALOOSA, AL 35403                | LH-240I  |
| #5-14    | JOHN D WASHINGTON         | 128 NE 16TH, OKLAHOMA CITY, OK 73104             | LH-240II |
| #5-14    | JODIE PARKER              | 15828 HOLMUR, DETROIT, MI 48238                  | LH-240J  |
| #5-14    | ANGELA WILSON             | 915 E CHICAGO, OKMULGEE, OK 74447                | LH-240JJ |
| #5-14    | CAROLYN COLLINS           | 718 E LAFAYETTE, OKMULGEE, OK 74447              | LH-240JJ |
| #5-14    | CHARLES D WILSON          | 915 E CHICAGO, OKMULGEE, OK 74447                | LH-240JJ |
| #5-14    | JANICE HOPKINS            | 3108 NORTHRIDGE, PURCELL, OK 73080               | LH-240JJ |
| #5-14    | KEITH D. WILSON           | 915 E CHICAGO, OKMULGEE, OK 74447                | LH-240JJ |
| #5-14    | MARK WILSON               | 915 E CHICAGO, OKMULGEE, OK 74447                | LH-240JJ |
| #5-14    | ORA LEE GRAY              | 18476 SANTA BARBARA, DETROIT, MI 48221           | LH-240K  |

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# PRELIMINARY LINE LIST- PIRKEY POWER PLANT

| TRACT ID | NAME                       | ADDRESS                                       | LEASE    |
|----------|----------------------------|---|----------|
| #5-14    | CORINE SHOULDERS TURNER    | 507 E ZION, TULSA, OK 74106                   | LH-240KK |
| #5-14    | CALVIN SADDLER             | 1832 PILGRIM, DETROIT, MI 48238               | LH-240L  |
| #5-14    | JEAN SHOULDERS             | 1626 ADAMS APT 1, MILPITAS, CA 95035          | LH-240LL |
| #5-14    | QUITMAN PARKER             | 2653 COLUMBUS, DETROIT, MI 48206              | LH-240M  |
| #5-14    | TOM SHOULDERS              | 1122 1/2 E 70TH ST, LOS ANGELES, CA 90001     | LH-240MM |
| #5-14    | WHITMAN DABBS              | 1830 S FAIRFAX, LOS ANGELES, CA 90019         | LH-240N  |
| #5-14    | LAWRENCE VERNON WASHINGTON | 128 NE 16TH, OKLAHOMA CITY, OK 73104          | LH-240NN |
| #5-14    | HERBERT DABBS              | 3000 POTOMAC, LOS ANGELES, CA 90016           | LH-240O  |
| #5-14    | MELVIN LAWSON              | RT 2, BOX 189 A, OMAHA, TX 75571              | LH-240OO |
| #5-14    | DORIS DABBS                | 558 BROOKS AVE, VENICE, CA 90291              | LH-240P  |
| #5-14    | EDWARD DABBS               | 558 BROOKS AVE, VENICE, CA 90291              | LH-240P  |
| #5-14    | ERNESTINE DABBS ANDERSON   | 558 BROOKS AVE, VENICE, CA 90291              | LH-240P  |
| #5-14    | PETRONIA DABBS COLLINS     | 558 BROOKS AVE, VENICE, CA 90291              | LH-240P  |
| #5-14    | JAMES NAPOLEON LAWSON      | 1606 N PRATER ST, LAKE CHARLES, LA 70601      | LH-240PP |
| #5-14    | CHAUCER A JONES            | 1167 ALVIRA, LOS ANGELES, CA 90035            | LH-240Q  |
| #5-14    | DOLAN N JONES              | 1167 ALVIRA, LOS ANGELES, CA 90035            | LH-240Q  |
| #5-14    | PHILLIP R JONES            | 1167 ALVIRA, LOS ANGELES, CA 90035            | LH-240Q  |
| #5-14    | WILLIAM PARKER             | 228 GOLD MINE DR., SAN FRANCISCO, CA 94131    | LH-240QQ |
| #5-14    | DALE ARTHUR MCFADDEN       | 4433 PARK, KANSAS CITY, MO 64130              | LH-240R  |
| #5-14    | HAZEL PARKER WILLIAMS      | 1243 FULTON ST, SAN FRANCISCO, CA 94117       | LH-240RR |
| #5-14    | FREDDIE J JOHNSON          | P O BOX 8321, ROWLAND HEIGHTS, CA 91748       | LH-240S  |
| #5-14    | ROSETTA MCFADDEN KING      | 8560 E ARTESIA BLVD #14, BELLFLOWER, CA 90706 | LH-240T  |
| #5-14    | ROY L HENDERSON            | P O BOX 211, JUNEAU, AK 99803                 | LH-240U  |
| #5-14    | JAMES LEE MCFADDEN         | 914 W 133RD ST, COMPTON, CA 90222             | LH-240V  |
| #5-14    | ELIZABETH MCFADDEN DENNIS  | 4433 PARK, KANSAS CITY, MO 64130              | LH-240W  |
| #5-14    | CHARLES JOHNSON            | 4433 PARK, KANSAS CITY, MO 64130              | LH-240X  |
| #5-14    | TRAVIS JOE PARKER          | 371 MCCUNE #102, EL PASO, TX 79915            | LH-240Y  |
| #5-14    | SIDNEY H FULLER            | 4016 COLUMBUS STREET, DETROIT, MI 48204       | LH-240Z  |
| #5-15    | SWEPKO                     | P O BOX 21106, SHREVEPORT, LA 71156           | N/A      |
| #5-16    | AUSTRALIA SMITH HARRIS     | P O BOX 534, CLARKSVILLE, TX 75426            | LH-120   |
| #5-16    | BRENDA G BRYANT            | 900 S HWY 1417 # 1303, SHERMAN TX 75092       | LH-120   |
| #5-18    | JESSE WASHINGTON JR        | 573 MADISON AVENUE, AKRON, OH 44320           | LH-87G   |
| #5-27    | SWEPKO                     | P O BOX 21106, SHREVEPORT, LA 71156           | N/A      |
| #5-29    | RITA WASHINGTON PHILLIPS   | 805 N FRANKLIN, MARSHALL, TX 75670            | LH-106C  |
| #5-29    | FREDDIE COLLINS            | 17302 STOUT, DETROIT, MI 48219                | LH-106G  |
| #5-29    | HELEN RISER                | 2000 RANDOLPH, MARSHALL, TX 75670             | LH-106I  |
| #5-29    | QUEVETTE SNODDY            | 600 W. AVALON # 255, LONGVIEW, TX 75602       | LH-106J  |
| #5-29    | CYNTHIA SMITH              | 600 W. AVALON # 240, LONGVIEW, TX 75602       | LH-106J  |
| #5-29    | KAYE SNODDY                | 600 W. AVALON # 255, LONGVIEW, TX 75602       | LH-106J  |
| #5-29    | GAYE SNODDY                | PO BOX 12223, LONGVIEW, TX 75607              | LH-106J  |
| #5-29    | LONNIE JOE COLLINS         | 17302 STOUT, DETROIT, MI 48219                | LH-106K  |
| #5-29    | FLORA BELL FACIANE         | 10530 CRENSHAW BLVD #4, INGLEWOOD, CA 90303   | LH-106M  |
| #5-29    | HELEN RISER                | 2000 RANDOLPH, MARSHALL, TX 75670             | LH-106N  |
| #5-30    | ROBERT LEE FISHER          | 12950 QUEENSBURY, HOUSTON, TX 77017           | LH-105A  |
| #5-30    | BRANDY ADKINS              | 8430 ANTOINE DR #291, HOUSTON, TX 77088       | LH-105B  |
| #5-30    | BRETT K WILLIAMS           | 20619 OAK LIMB LANE, HUMBLE, TX 77338         | LH-105B  |

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# PRELIMINARY LINE LIST- PIRKEY POWER PLANT

| TRACT ID | NAME                       | ADDRESS   | LEASE   |
|----------|----------------------------|---|---------|
| #5-30    | CALVIN HENRY ADKINS        | 1117 EDWARDS ST, HOUSTON, TX 77007              | LH-105B |
| #5-30    | DENISE ADKINS RAINEY       | 1305 GAZANIA CIRCLE, RIVERSIDE, CA 92501        | LH-105B |
| #5-30    | DENNIS ADKINS              | 1305 GAZANIA CIRCLE, RIVERSIDE, CA 92501        | LH-105B |
| #5-30    | DONALD ADKINS              | 1305 GAZANIA CIRCLE, RIVERSIDE, CA 92501        | LH-105B |
| #5-30    | FAITH K DANIELS            | 20619 OAK LIMB LANE, HUMBLE, TX 77338           | LH-105B |
| #5-30    | GERALDINE ADKINS           | 8430 ANTOINE DR #291, HOUSTON, TX 77088         | LH-105B |
| #5-30    | HARRIET ADKINS WILLIAMS    | 5300 COKE ST #68, HOUSTON, TX 77020             | LH-105B |
| #5-30    | HORATIO ADKINS             | 635 E 121ST STREET, LOS ANGELES, CA 90059       | LH-105B |
| #5-30    | JOSEPH EARL ADKINS         | 1512 GALE, HOUSTON, TX 77060                    | LH-105B |
| #5-30    | KEITH RENARD ADKINS        | 1117 EDWARDS STREET, HOUSTON, TX 77007          | LH-105B |
| #5-30    | LAMONT E WILLIAMS          | 2505 FANNIN ST., HOUSTON TX 77002               | LH-105B |
| #5-30    | LATONYA PRUITT             | 1642 ASHBY AVE, BERKELEY CA 94704               | LH-105B |
| #5-30    | LYNN MARIE ADKINS STEPHENS | 6603 HIRSCH RD #115, HOUSTON, TX 77026          | LH-105B |
| #5-30    | SHEILA WASHINGTON          | 13030 CRYSTAL COVE DR, HOUSTON, TX 77044        | LH-235B |
| #5-30    | AVA HOWARD                 | 13030 CRYSTAL COVE DR, HOUSTON, TX 77044        | LH-235B |
| #5-30    | CHEYENNE JACKSON           | 1642 ASHBY AVE, BERKELEY, CA 94704              | LH-235B |
| #5-30    | BARBARA MORRISON           | 1114 STEVENAGE LN, CHANNELVIEW, TX 77530        | LH-235B |
| #5-30    | DEVARO MORRISON            | 1114 STEVENAGE LN, CHANNELVIEW, TX 77530        | LH-235B |
| #5-30    | JOHN MORRISON, V           | 7912 TRINITY GATE DR., DALLAS, TX 75237         | LH-235B |
| #5-30    | WILMA JEAN MOSS            | 13106 CHAPMAN AVE #4218, GARDEN GROVE, CA 92840 | LH-105B |
| #5-31    | ANN RICHARDSON TALLEY      | P O BOX 358, HALLSVILLE, TX 75650               | LH-93   |
| #5-31    | CAROL RICHARDSON GREER     | P O BOX 464, HALLSVILLE, TX 75650               | LH-93   |
| #5-31    | ELIZABETH BROWN SCHROTT    | P O BOX 44, HALLSVILLE, TX 75650                | LH-93   |
| #5-31    | MARTHA BROWN ROGERS        | 15067 FM 968 W, LONGVIEW, TX 75602              | LH-93   |
| #5-31    | REAGAN MARK BROWN          | 5205 ASPEN, BELLAIRE, TX 77401                  | LH-93   |
| #5-31    | THOMAS LAMAR BROWN         | P O BOX 3034, ET STATION, COMMERCE, TX 75428    | LH-93   |
| #5-31    | THOMAS RICHARDSON          | P O BOX 83, HALLSVILLE, TX 75650                | LH-93   |
| #5-32    | ANNETTE FIELDS MITCHELL    | 401 DUNBAR AVE, PORT ARTHUR, TX 77640           | LH-131A |
| #5-32    | CALVIN HAYWOOD FIELDS JR   | 5450 BROADMOOR PLAZA, INDIANAPOLIS, IN 46208    | LH-131A |
| #5-32    | GLORIA FIELDS JONES        | 3210 ASHLOCK DR, HOUSTON, TX 77082              | LH-131A |
| #5-32    | JEAN FIELDS MARSHALL       | 5822 THRUSH DR., HOUSTON, TX 77033              | LH-131A |
| #5-32    | NELVA RUTH CRAIN           | 2704 PARK DR, MARSHALL, TX 75670                | LH-131A |
| #5-32    | TANYA MICHELLE FIELDS      | 5450 BROADMOOR PLAZA, INDIANAPOLIS, IN 46208    | LH-131A |
| #5-32    | ANNETTE FIELDS MITCHELL    | 401 DUNBAR AVE, PORT ARTHUR, TX 77640           | LH-131B |
| #5-32    | BOBBIE J FIELDS WHITE      | 8927 MLK, HOUSTON, TX 77033                     | LH-131B |
| #5-32    | CALVIN HAYWOOD FIELDS JR   | 5450 BROADMOOR PLAZA, INDIANAPOLIS, IN 46208    | LH-131B |
| #5-32    | DELORES YVONNE WISE        | 3813 SEIBER AVE, DAYTON, OH 45405               | LH-131B |
| #5-32    | DOMINICK L WISE            | 3813 SEIBER AVE, DAYTON, OH 45405               | LH-131B |
| #5-32    | GLORIA FIELDS JONES        | 3210 ASHLOCK DR, HOUSTON, TX 77082              | LH-131B |
| #5-32    | INEZ FIELDS DAVIS          | 1019 E RICHMOND AVE, FORT WORTH, TX 76104       | LH-131B |
| #5-32    | JEAN FIELDS MARSHALL       | 5822 THRUSH DR., HOUSTON, TX 77033              | LH-131B |
| #5-32    | JUANITA FIELDS BROWN       | 1721 FLORIN RD, SACRAMENTO, CA 95822            | LH-131B |
| #5-32    | LEO B SMITH                | 1102 ALVIN STREET, MARSHALL, TX 75670           | LH-131B |
| #5-32    | NAAMAN W FIELDS            | 1535 NORTH AVENUE, SACRAMENTO, CA 95838         | LH-131B |
| #5-32    | NELVA RUTH CRAIN           | 2704 PARK DR, MARSHALL, TX 75670                | LH-131B |
| #5-32    | RACHEL LOUISE FIELDS       | 773 E 52ND PL, LOS ANGELES, CA 90011            | LH-131B |

# PRELIMINARY LINE LIST- PIRKEY POWER PLANT

| TRACT ID | NAME                     | ADDRESS  | LEASE    |
|----------|--------------------------|--|----------|
| #5-32    | RAYMOND L FIELDS JR      | 773 E 52ND PL, LOS ANGELES, CA 90011           | LH-131B  |
| #5-32    | RETINA P SMITH           | 1600 ALEXANDER ST., MARSHALL, TX 75670         | LH-131B  |
| #5-32    | ROLAND H BOARD           | 3813 SEIBER AVE, DAYTON, OH 45405              | LH-131B  |
| #5-32    | SANDRA JOHNSON           | 2606 UNIVERSITY AVE, MARSHALL, TX 75670        | LH-131B  |
| #5-32    | SHARON R SMITH-BOOKER    | P O BOX 8187, MARSHALL, TX 75670               | LH-131B  |
| #5-32    | TANYA MICHELLE FIELDS    | 5450 BROADMOOR PLAZA, INDIANAPOLIS, IN 46208   | LH-131B  |
| #5-32    | THEODORE G SMITH JR      | 8970 RED OAK RD, HALLSVILLE, TX 75650-7690     | LH-131B  |
| #5-32    | VERGIA B SMITH           | 2600 EVANS ST, MARSHALL, TX 75670              | LH-131B  |
| #5-32    | WENDELL D FIELDS         | 773 E 52ND PL, LOS ANGELES, CA 90011           | LH-131B  |
| #5-32    | WILLIA RUTH CLEMENTS     | 1102 ALVIN ST, MARSHALL, TX 75670              | LH-131B  |
| #5-32    | BOBBIE J FIELDS WHITE    | 8927 MLK, HOUSTON, TX 77033                    | LH-131I  |
| #5-32    | DELORES YVONNE WISE      | 3813 SEIBER AVE, DAYTON, OH 45405              | LH-131I  |
| #5-32    | DOMINICK L WISE          | 3813 SEIBER AVE, DAYTON, OH 45405              | LH-131I  |
| #5-32    | INEZ FIELDS DAVIS        | 1019 E RICHMOND AVE, FORT WORTH, TX 76104      | LH-131I  |
| #5-32    | JUANITA FIELDS BROWN     | 1721 FLORIN RD, SACRAMENTO, CA 95822           | LH-131I  |
| #5-32    | LEO B SMITH              | 1102 ALVIN STREET, MARSHALL, TX 75670          | LH-131I  |
| #5-32    | NAAMAN W. FIELDS         | 1535 NORTH AVENUE, SACRAMENTO, CA 95838        | LH-131I  |
| #5-32    | RACHEL LOUISE FIELDS     | 773 E 52ND PL, LOS ANGELES, CA 90011           | LH-131I  |
| #5-32    | RAYMOND L FIELDS JR      | 773 E 52ND PL, LOS ANGELES, CA 90011           | LH-131I  |
| #5-32    | RETINA P SMITH           | 1600 ALEXANDER ST., MARSHALL TX 75670          | LH-131I  |
| #5-32    | ROLAND HENRY BOARD       | 3813 SEIBER AVE, DAYTON, OH 45405              | LH-131I  |
| #5-32    | SANDRA JOHNSON           | 2606 UNIVERSITY AVE., MARSHALL, TX 75670       | LH-131I  |
| #5-32    | SHARON R SMITH-BOOKER    | P O BOX 8187, MARSHALL, TX 75670               | LH-131I  |
| #5-32    | THEODORE G SMITH JR      | 8970 RED OAK RD, HALLSVILLE, TX 75650-7690     | LH-131I  |
| #5-32    | VERGIA B SMITH           | 2600 EVANS ST, MARSHALL, TX 75670              | LH-131I  |
| #5-32    | WENDELL D FIELDS         | 773 E 52ND PL, LOS ANGELES, CA 90011           | LH-131I  |
| #5-32    | WILLIA RUTH CLEMENTS     | 1102 ALVIN STREET, MARSHALL, TX 75670          | LH-131I  |
| #5-44    | SWEPKO                   | P O BOX 21106, SHREVEPORT, LA 71156            | N/A      |
| #5-55    | SWEPKO                   | P O BOX 21106, SHREVEPORT, LA 71156            | N/A      |
| #5-56    | SWEPKO                   | P O BOX 21106, SHREVEPORT, LA 71156            | N/A      |
| #10-7    | WILLIE WALKER EST        | RT 1, BOX 340, LONGVIEW, TX 75602              | LH       |
| #10-7    | CORA HESTER              | 10330 LA SALLE, LOS ANGELES, CA 90047          | LH-131AA |
| #10-7    | TIMOTHY HESTER           | 10330 LA SALLE, LOS ANGELES, CA 90047          | LH-131BB |
| #10-7    | LUCY FORD WALKER         | 5518 EASTLAND ST, HOUSTON, TX 77028            | LH-131DD |
| #10-7    | BELLEZORA HOUTMAN        | 3046 GREELEY ST, SAN DIEGO, CA 92113           | LH-131E  |
| #10-7    | WILLIE WALKER            | 741 EUCLID #207, DETROIT, MI 48202             | LH-131EE |
| #10-7    | LOUIS WALKER             | 1566 E. 48TH ST, LOS ANGELES, CA 90011         | LH-131HH |
| #10-7    | HARRISON COUNTY CLERK    | HARRISON COUNTY COURTHOUSE, MARSHALL, TX 75670 | LH-131II |
| #10-7    | JOHN RICHARD DILLARD     | 1456 SERENADE LN, DALLAS, TX 75241             | LH-131L  |
| #10-7    | SHIRLEY TAYLOR           | 1335 MT. PLEASANT RD, HALLSVILLE TX 75650      | LH-131N  |
| #10-7    | LACY KIRK JOHNSON        | 2210 DUGALD PL, DALLAS, TX 75216-3308          | LH-131P  |
| #10-7    | BERNICE WALKER DUDLEY    | RT 4, BOX 643, MINDEN, LA 71055                | LH-131S  |
| #10-7    | OVIDIA STURNS WASHINGTON | 189 DOCTORS RD W, LONGVIEW, TX 75602-7243      | LH-131V  |
| #10-7    | LULA WALKER PATRICK      | 8694 HWY 43 SOUTH, MARSHALL, TX 75670          | LH-131W  |
| #10-7    | ESTER R HARPER           | 760 N BRIERWOOD, RIALTO, CA 92376              | LH-131Y  |
| #10-7    | NETTIE MAE KEMP JACKSON  | 713 AZALEA LN, CEDAR HILL, TX 75104            | LH-131Y  |

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# PRELIMINARY LINE LIST- PIRKEY POWER PLANT

| TRACT ID  | NAME                      | ADDRESS  | LEASE        |
|-----------|---------------------------|--|--------------|
| #10-7     | BEATRICE WALKER EST       | (NO ADDRESS LISTED)                            | LH-131zzzzzz |
| #10-7     | ISAAC MORRIS              | (NO ADDRESS LISTED)                            | LH-131zzzzzz |
| #10-7     | HARRISON COUNTY CLERK     | HARRISON COUNTY COURTHOUSE, MARSHALL, TX 75670 | LH-97X       |
| #10-8     | SWEP CO                   | P O BOX 21106, SHREVEPORT, LA 71156            | N/A          |
| #10-9     | SWEP CO                   | P O BOX 21106, SHREVEPORT, LA 71156            | N/A          |
| #1071-038 | SWEP CO                   | P O BOX 21106, SHREVEPORT, LA 71156            | NA           |
| #1071-049 | VERGIA B SMITH            | 2600 EVANS ST, MARSHALL, TX 75670              | NL           |
| #1071-053 | SWEP CO                   | P O BOX 21106, SHREVEPORT, LA 71156            | NL           |
| #1071-054 | SWEP CO                   | P O BOX 21106, SHREVEPORT, LA 71156            | N/A          |
| #1071-058 | STEVEN G DAVIS            | 2700 FINKLES RD, HALLSVILLE, TX 75650          | NL           |
| #1071-059 | STEVEN G DAVIS            | 2700 FINKLES RD, HALLSVILLE, TX 75650          | NL           |
| #1071-063 | SWEP CO                   | P O BOX 21106, SHREVEPORT, LA 71156            | MSL-139      |
| #1071-087 | NAPOLEON & THEOLA JOHNSON | 6424 EMBASSY DR, FT WORTH, TX 76119            | NL           |
| #1071-090 | SWEP CO                   | P O BOX 21106, SHREVEPORT, LA 71156            | NA           |
| #1071-104 | SWEP CO                   | P O BOX 21106, SHREVEPORT, LA 71156            | NA           |
| #1071-105 | SWEP CO                   | P O BOX 21106, SHREVEPORT, LA 71156            | NA           |

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1 Power Plant

